



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRA-S-175-SB-2005 (O&M)

Date of order: 19.02.2025

Bhara Dass @ Khandi Dass

.. Appellant (s)

Versus

State of Punjab

... Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Ms. Mamta Saini, Legal Aid Counsel
for the appellant(s).

Mr. Akshay Kumar, AAG, Punjab.

ANOOP CHITKARA, J.

1. On the last date of hearing, Legal Aid Counsel had apprised this Court that the appellant is no more and therefore, State was directed to verify this fact.
2. State's counsel has produced the report of the concerned SHO P.S. Talwandi Sabo, wherein it has been stated that the appellant - Bhara Dass has died on 20.2.2022. The aforesaid report is taken on record.
3. On 10.3.2025, the coordinate Bench had suspended the sentence of the appellant. There is no averment in the appeal *qua* deposit of fine of Rs.2,000/-. Although it was not specified that the suspension of sentence included stay of fine or not, but this Court can draw a presumption that the fine was also stayed during the pendency of this appeal. Therefore, the order dated 10.03.2005 would be read as order staying the fine during the pendency of appeal as well.
4. Therefore, in view of judgment of this Court passed in the case of **Bhola @ Ram Dass Vs. State of Haryana etc.** in CRA-S-77-SB-1999, the present appeal is disposed of as abated. Surety bonds, if any, furnished, shall stand discharged. The amount of fine, if deposited, be forfeited to the State. In case of non-deposit of fine, there is no need to deposit the same.

5. The Legal Aid Counsel shall be entitled for her fee in accordance with law.

(ANOOP CHITKARA)
JUDGE

February 19, 2025
AK

Whether speaking/reasoned	Yes
Whether reportable	No