



228 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-16958-2025 in/and

CRA-S-1831-2023

Date of decision: 04.07.2025

JASWANT SINGH @ JASSA

...APPELLANT

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Fateh Sahota, Advocate and
 Mr. S.S. Rangi, Advocate for the appellant.

 Mr. Rishabh Singla, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present appeal has been preferred against the judgment of conviction and order of sentence dated 21.04.2023 passed by learned Judge, (Special Court), Sangrur, whereby, the appellant has been convicted under Section 22(c) of NDPS Act for a period of 10 years along with a fine of Rs.1 lakh along with default mechanism in case stemming from FIR No.24 dated 14.03.2019 registered under Sections 22/61/85 of NDPS Act at PS Khanauri.

2. Learned counsel for the applicant/appellant submits that the appellant-Jaswant Singh @ Jassa has passed away during the pendency of the present appeal and prays for abatement of proceedings qua the applicant/appellant.

3. Learned State counsel, on instructions from ASI Sanjeet Singh, affirms that the appellant has passed away during the pendency of the present appeal.

4. In view of the above, main case is ordered to be taken on board today itself.



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5. In view of the judgment rendered by this Court in *Shivji Ram @ Dimple vs. State of Punjab 2023(1) R.C.R.(criminal) 738* as well as the Full Bench of the Kerala High Court in *Pazhani S/o Chami vs. State of Kerala 2017(1) R.C.R. (Criminal) 1045*, the present appeal is disposed of with the following directions, qua appellant-Jaswant Singh @ Jassa :

- (i) The appeal shall stand abated qua appellant on account of his death.
- (ii) The State exchequer shall be at liberty to recover the fine amount by adopting due process of the law against him.
- (iii) If State chooses to start recovery process of the amount of fine from the estate of the deceased-appellant, a valid notice in that regard would be served upon his legal heirs who has a vested right in the said estate.
- (iv) If any such legal heir or any interested person is aggrieved with the process of recovery of fine, he may move an appropriate application before this Court seeking revival of the appeal. However, the same must be done within 30 days of receipt of such notice.
- (v) Such legal heir or any interested person would also be at liberty to deposit the total amount of fine, which is subject matter of the appeal, qua appellant, in the office of concerned authority.
- (vi) If appeal is revived qua appellant, the appeal shall be heard on merits.

6. Pending miscellaneous application(s), if any, shall also stand disposed of.

July 04, 2025
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(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |