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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 1346/2024 & CRL.M.(BAIL) 2084/2024**
RAJENDER PILLAIPetitioner

Through: Mr. Faraz Maqbool (DHCLSC) with
Ms. Sahilya Veena and Ms.
Deepshikha, Advocates.

versus

STATE NCT OF DELHIRespondent
Through: Mr. Biswajit Kumar Patra, Advocate
for R.D. Sharma.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
06.03.2025

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1. As noted in the previous order, the Petitioner – Mr. Rajender Pillai has deceased. Mr. Faraz Maqbool, who has been appointed by the Delhi High Court Legal Services Authority to represent the Petitioner, apprises the Court that under Section 394(2) of the Code of Criminal Procedure, 1973¹, every appeal under Chapter XXIX of the CrPC, shall get abated on the death of the accused, except an appeal arising from a sentence of fine. He further points out that as per the proviso to Section 394(2), when the appeal is against a conviction, and the Appellant dies during the pendency of the appeal, the legal representatives of the Appellant can apply to the Appellate Court for leave to continue the appeal. He submits that even though there is no analogous Section in the CrPC regarding criminal revision petitions, it has been held by various High Courts that the principles of Section 394 of



CrPC, would also apply to proceedings in criminal revision petitions. However, he highlights that in the present case, no legal representative of the Petitioner has applied to seek leave to continue the present petition.

2. In the above circumstances, since the Petitioner has deceased, Mr. Maqbool is discharged from making further representation in the present case on behalf of the deceased Petitioner.

3. Moreover, considering the position of law highlighted by Mr. Maqbool, in absence of any application for substitution of the Petitioner or leave to continue the petition, the present proceedings are abated.

4. At this juncture, it must be noted that the deceased Petitioner had through his son, acting as a pairokar also filed CRL.REV.P.(NI) 4/2025 before this Court impugning the same order as impugned herein. Thus, the said petition will be dealt with separately.

5. Accordingly, the present petition is disposed of.

SANJEEV NARULA, J

MARCH 6, 2025

as

¹ “CrPC”