



\$~3

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 716/2003

DES RAJ

.....Appellant

Through: Mr. Varun Kholi (Son of the
appellant)

versus

C.B.I.

.....Respondent

Through: Mr. Premtosh K. Mishra, SPP with
Mr. Arpit Bamal, Mr. Anubhav
Upadhyay and Mr. Shrey Sharma,
Advocates.

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

%

23.04.2026

1. Mr. Varun Kholi present in person and submits that he is
the son of the sole appellant, who is no more.

2. Mr. Premtosh K. Mishra, Special Public Prosecutor, on
instructions, has identified Mr. Varun Kholi as the son of the
deceased sole appellant.

3. The sentence imposed by the trial court is a composite
sentence of imprisonment and fine. It is only the substantive



sentence of imprisonment that stands abated on the death of the appellant and the sentence of fine will not stand abated by virtue of Section 394(2) Cr.P.C.

4. It is further submitted that the fine amount has already been deposited and that the legal representative of the appellant does not wish to pursue the present appeal.

5. In light of the fact that the fine amount imposed by the trial court has already been deposited and the legal representative does not wish to prosecute the matter, the impugned judgment insofar as the imposition of fine is concerned stands confirmed.

6. The file be consigned to the record room.

CHANDRASEKHARAN SUDHA, J

APRIL 23, 2026

rs