



2026:CGHC:9879

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 257 of 2019

Balvir Singh @ Bittu S/o Shri Bishan Singh Aged About 42 Years R/o New Khursipaar District Durg Chhattisgarh

... Appellant

versus

State of Chhattisgarh Through Arakshi Centre, Khursipaar District Durg Chhattisgarh

... Respondent

For Appellant : Mr. Basant Dewangan, Advocate

For State /Respondent : Mr. R.K. Sahu, PL

(Hon'ble Shri Justice Arvind Kumar Verma)

Judgment on Board

25/02/2026

1. In compliance of the order passed by this Court on 24/02/2023 & 14/03/2023, learned State counsel has filed the report of the Station House Officer, Police Station Khursipar, District Durg dated 15/05/2023 along with the death certificate of the appellant - Balvir Singh @ Bittu and has informed this Court that during pendency of this appeal, present accused/appellant- Balvir Singh @ Bittu has died on 20/04/2022. Copy



of report dated 15/05/2023 along with the death certificate of appellant is also annexed Annexure D-1.

2. Perusal of death certificate shows that present appellant has died on 20/04/2022.
3. Section 394(2) of the Cr.PC provides that every other appeal under this chapter (except an appeal from a sentence of fine) shall finally abate on the death of the appellant.

Provided that where the appeal is against a conviction and sentence of death or of imprisonment, and the appellant dies during the pendency of the appeal, any of his near relatives may, within thirty days of the death of the appellant, apply to the appellate Court for leave to continue the appeal; and if leave is granted, the appeal shall not abate.

4. In the instant case, there is no application filed by the legal representatives of the deceased appellant before this Court under Section 394(2) of Cr.PC, therefore, after expiry of said prescribed period, present appeal is finally abated on behalf of the appellant.
5. Accordingly, present criminal appeal stands dismissed as having abated.
6. Office is directed to sent a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

SD/-

(Arvind Kumar Verma)
JUDGE