



2026:CGHC:12983

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 843 of 2018

Salik Ram Tiwari S/o Late Shambhunath Tiwari Aged About 55 Years R/o-
Durti, Police Station Pratappur, District- Surajpur, Chhattisgarh

... Appellant

versus

The State of Chhattisgarh Through- Arakshi Kendra- Pratappur, District-
Surajpur, Chhattisgarh

... Respondent

For Appellant	:	Mr. M.L. Sahu, Advocate on behalf of Mr. Rajat Agrawal, Advocate
For Respondent/State	:	Mr. Suresh Tandan, PL

(Hon'ble Shri Justice Arvind Kumar Verma)

Judgment on Board

18/03/2026

1. Learned counsel for the appellant has produced the death certificate of the accused/appellant before this Court, indicating that he has died on 18/06/2025. The death certificate has been taken on record.
2. Section 394(2) 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.

3. 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 the CPC. Therefore, after expiry of the said prescribed period, the instant appeal is finally abated on behalf of the appellant.
4. Accordingly, the present criminal appeal stands dismissed as having abated.

SD/-

(Arvind Kumar Verma)
JUDGE

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