



2026:CGHC:3635



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****CRA No. 1046 of 2016**

Shyam Das S/o Dhajaram Manikpuri, Aged About 56 Years R/o Village Singhul, P. S. Shivarinarayan, District Janjgir - Champa Chhattisgarh.

... Appellant.**versus**

State Of Chhattisgarh Through The Police Station Shivarinarayan, District Janjgir - Champa Chhattisgarh.

... Respondent(s)

For Appellant	: Mr. Vivek Singhal, Advocate
For State	: Mr. Jitendra Shrivastava, GA.

Hon'ble Shri Justice Arvind Kumar Verma, Judge**Order on Board****21/01/2026**

1. Learned counsel for the appellant has produced the death certificate of the accused/appellant before this Court, indicating that he has died on 04.11.2024.
2. Perusal of death certificate shows that appellant has died on 04.11.2024. Death certificate of appellant is accordingly taken on record.



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.

CC as per rules.

Sd/-
(Arvind Kumar Verma)
JUDGE

J.