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

+ **CRL.A. 419/2013**

OM PRAKASH @ KALUAppellant
Through: Mr. Jivesh Kumar Tiwari , Adv.
versus
STATE (GOVT. OF NCT OF DELHI)Respondent
Through: Mr Ritesh Kumar Bahri APP with Mr.
Lalit Luthra, Mr. Vinesh Kumar, Dr.
R. S. Gupta, Advs.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **20.03.2026**

1. This hearing has been done through hybrid mode.
2. The present appeal has been filed by the Appellant- Mr. Om Prakash @Kalu under Section 374(2) and Section 383 read with Section 482 of the Criminal Procedure Code, 1973 assailing the impugned judgement dated 20th August, 2011 and order on sentence dated 24th August, 2011 passed by the Additional Sessions Judge, East District, Karkardooma Courts, Delhi in ***Sessions case No. 62/2010.***
3. *Vide* the impugned judgement, the Appellant was convicted for offences punishable under Section 302,392,397 of the Indian Penal Code, 1860.
4. The incident in the present case is stated to have taken place on 9th January, 2005 at about 11:25 P.M. Around the said time, the Complainant and her daughter were returning to their home. The Appellant along with the other accused persons is alleged to have tried to commit robbery and snatch some of the belongings of the Complainant. The deceased herein was running a tea



shop in the neighbourhood and he tried to catch hold of the Appellant. In the process, he was stabbed and thereafter he passed away.

5. Pursuant thereto, FIR bearing No. **32/2005** dated 10th February, 2005 was registered at P.S. Preet Vihar under Sections 302, 392, 397 read with Section 34 of the IPC. Thereafter, charges were framed *vide* order on charge dated 27th May, 2009.

6. The status of the accused persons in the present case is as under:

Details of the Accused Persons	Status
1) Aas Mohd.	Discharged <i>vide</i> order on charge dated 27 May, 2009.
2) Kamal	Proclaimed offender
3) Rakesh @ Karma	Acquitted <i>vide</i> the impugned judgement.
4) Om Prakash@Kalu, the Appellant herein	Convicted <i>vide</i> the impugned judgement and has passed away on 8 th July, 2021

7. The present appeal was filed by Mr. Om Prakash@Kalu, who has now passed away on 8th July, 2021 and the factum of death has been verified by the State.

8. In view thereof, the present appeal abates and no further orders are called for in the present matter.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MARCH 20, 2026/prg/sm