



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 2537 of 1982

Jogendra Alias Gulati

.....Appellant(s)

Versus

State

.....Respondent(s)

Counsel for Appellant(s) : Anil Mallik, Shivam Agarwal
Counsel for Respondent(s) : A.G.A.

Court No. - 75

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Heard Sri Shubham Agarwal, learned Amicus Curiae for the appellant who has been appointed vide order dated 16.08.2022 and Sri V.D. Ojha, learned counsel for the State. Records have been perused.

3. As per the office report dated 23.09.2025, the C.J.M., Meerut through his report dated 22.09.2025 has reported that the family members of the said accused-appellant on an effort to serve notice on him by Police Station Civil Lines, District Meerut have informed them that he has not visited the house since the last 35-40 years and neither have the relatives seen him and thus they believe that he has died. A version regarding the same has been given by Renu his sister in writing which has also been enclosed with the said report. This does not make it clear as to whether the said accused-appellant is dead or not. The perusal of the written information given by Renu further states that death certificate of the accused-appellant has been applied online which would be issued soon.

5. This Court thus in this event proceeds in this matter on merits since it is not conclusively established whether the said accused-appellant is dead or alive. Further the directions of the Apex Court in the case of *Bhola Mahto Vs. State of Jharkhand: 2026 INSC 257* also is not attracted in the present matter since sufficient notice has been given at the address of the accused-appellant.

6. The paper-book of the matter is ready. The Court thus proceeds to hear

the matter.

7. Learned Amicus Curiae for the appellant prays for two weeks further time to prepare the matter. Prayer is allowed.

8. List on **21.04.2026**.

(Samit Gopal,J.)

April 7, 2026
Naresh/Abhishek Singh Rathore