

Court No. - 49

Case :- CRIMINAL APPEAL No. - 1468 of 1988

Appellant :- Kunwar Pal & Others

Respondent :- State Of U.P.

Counsel for Appellant :- N.K.Sharma

Counsel for Respondent :- A.G.A.

Hon'ble Ved Prakash Vaish,J.

List has been revised. No one has appeared on behalf of the appellant. Sri Manoj Kumar Singh, learned A.G.A. for the State is present.

As per office report dated 6.7.2018, it is mentioned that C.J.M., Kasganj has reported that the appellants no.1, 2, and 4 namely, Kunwarpal, Satyaveer, and Veera have expired. The reports C.J.M Kasganj dated 29.6.2018 and 18.6.2018 are on record and report of C.J.M. Kasganj dated 29.6.2018 is accompanied by copy of statements of S.I.Runit Tomar, Statement of Dharmavati Gram Pradhan of Village Panchayat Samaula, Tilak Singh son of Kunwarpal, Satyapal Singh relative of Kunwarpal whereas report of C.J.M, Kasganj dated 18.6.2018 is accompanied by statement of S.I. Rajveer Singh, Sonam Sharma Village Pradhan Gram Panchayat Sauro, Umesh Singh. In all the statements it is stated that the appellant Kunwarpal has died about 8-10 years ago whereas appellant no. 2 Satyaveer died in the year 2001 and appellant no. 4 Veeri Singh died in the year 2002.

Learned A.G.A has submitted that in view of the report of C.J.M., Kasganj this appeal is liable to be dismissed as having been abated in respect of appellants no. 1,2 and 4.

In view of the submission made by the learned AGA and perusal of the report of C.J.M., this appeal is dismissed as having been abated in respect of appellants no.1,2 and 4.

Issue non-bailable warrants against the remaining appellants i.e., 3,5 and 6 and notice to their sureties under Section 446 Cr.P.C. to be executed through concerned C.J.M. Kasganj returnable on 7.1.2019.

As per office report lower court record has not been received.

Summon lower court record immediately.

Let a copy of this order be sent to SSP, Kasganj for compliance.

A copy of this order be also sent to concerned District Judge, Kasganj through FAX, email as well as speed and ordinary post for sending lower court record.

List this case on 7.1.2019.

Order Date :- 20.11.2018/Nadeem Ahmad

(Ved Prakash Vaish,J.)