



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1197 of 1990

Ram Sumer Rai And Others

.....Appellant(s)

Versus

State

.....Respondent(s)

Counsel for Appellant(s) : Gajendra Pratap, Kumar Amit
Counsel for Respondent(s) : A.G.A.

Court No. - 44

HON'BLE J.J. MUNIR, J.

HON'BLE VINAI KUMAR DWIVEDI, J.

The learned Chief Judicial Magistrate, Ghazipur has submitted a report dated 30.01.2026 which shows that Ram Sumer Rai and Ram Bachan Rai, both sons of Tileshwar Rai, have passed away. The aforesaid report is based on the death certificates issued by the Village *Pradhan* dated 20.01.2026 bearing numbers 1658 of 2026 and 1656 of 2026 certifying the fact that Ram Bachan Rai died on 20.08.2022 and Ram Sumer Rai died long ago respectively.

There is no inquiry, worth the name, held by the Chief Judicial Magistrate into the death of these two convicts. He has relied entirely on the photostat copies of the death certificate issued in each case by the Village *Pradhan*. No statement of the Village *Pradhan* or the Sub-Inspector who inquired into the matter has been recorded on oath by the Chief Judicial Magistrate himself, much less the statement on oath of at least one relative of the deceased in accordance with the circulars of this Court.

The last report was also submitted late and we had asked the Chief Judicial Magistrate to show cause. That cause has hardly been shown. The other matters reported by the Chief Judicial Magistrate is about committal of the two appellants who were taken into custody before this Court

which is quite irrelevant to the living status of the two appellants claimed to be dead.

Let the Chief Judicial Magistrate, Ghazipur appear before the Court on **05.02.2026 at 1.30 p.m.** when this matter will be taken up **in chambers**. The matter will, thereafter, be taken up in Court at **2.00 p.m.** By that time, report after the requisite inquiry, held into the death of the two appellants, shall positively be filed by the Chief Judicial Magistrate.

List on **05.02.2026 at 2.00 p.m.**

Let this order be communicated to the learned Chief Judicial Magistrate, Ghazipur by the Registrar (Compliance) **today**.

(Vinai Kumar Dwivedi,J.) (J.J. Munir,J.)

February 2, 2026
Prashant D.