

Court No. - 43

Case :- CRIMINAL APPEAL No. - 2093 of 1988

Appellant :- Ram Ratan And Others

Respondent :- State Of U.P.

Counsel for Appellant :- Y.S. Rathore, Ram Kishore Gupta

Counsel for Respondent :- A.G.A.

Hon'ble Pankaj Naqvi, J.

Hon'ble Krishna Pratap Singh, J.

Shri Ram Kishore Gupta, learned counsel for the appellants states that he appears for appellants No. 3, 4 and 5.

The report of the Chief Judicial Magistrate, Kanpur Dehat dated 15.3.2018 indicates that appellants No. 1/Ram Ratan and 2/Ram Kishan have died. It further indicates that whereabouts of appellant No. 6/Ram Narain are not known. The said report is not in consonance with orders dated 12.2.2018 and 21.3.2018.

Let the CJM concerned submit a fresh report in the light of the **Circular Letters No. 15/2005, VIII-119 April 19, 2005 and 04/admin G-II dated Allahabad 18.1.2017 of this Court**, which provides that it must include the statement of the informant or his legal heirs, if any.

CJM is also directed to make a discreet enquiry so as to ascertain the current whereabouts of appellant No. 6/Ram Narain from such persons, who may be having knowledge of his whereabouts by recording their statements.

Office and the learned AGA shall also ascertain as to whether any Government Appeal is preferred against two acquitted co-accused Mahabir and Mewa Lal and if so the said appeal be also tagged with this appeal.

Office of the Registrar General is directed to communicate this order to the judgeship concerned telephonically apart from normal mode of communication to ensure prompt compliance .

Lower court record be also summoned forthwith, if not already summoned.

List in the week commencing **09.7.2018.**

Order Date :- 11.4.2018

Ishrat