



2026:AHC:52796-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 2752 of 1985

Guddu Agnihotri and another

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s)

: G.P. Dixit

Counsel for Respondent(s)

: DGA

Along with :

1. Criminal Appeal No. 2788 of 1985:

Ramesh Mochi and another

Versus

State of U.P.

Court No. - 44

HON'BLE J.J. MUNIR, J.

HON'BLE VINAI KUMAR DWIVEDI, J.

1. A report has been submitted by the learned Chief Judicial Magistrate, Kanpur Nagar dated 14.03.2006, saying that appellant no. 1, Guddu Agnihotri, has passed away on 06.11.2002. His nephew, Saurabh Kumar Tiwari, has produced a death certificate regarding the first appellant's death before the learned Chief Judicial Magistrate, Kanpur Nagar.

2. The statement of Sub-Inspector of Police, Ankush Chaudhary and the first appellant's nephew, Saurabh Kumar Tiwari have been recorded by the learned Chief Judicial Magistrate, Kanpur Nagar in support of the *factum* of death, in accordance with the circulars of this Court. The relevant papers and testimony of the two witnesses have been annexed to the learned Chief Judicial Magistrate's report.

3. In this view of the matter, it is held that appellant no. 1, Guddu Agnihotri is dead. This appeal was instituted on behalf of two appellants, to wit, Guddu Agnihotri and Abdulla. This appeal, at the instance of Abdullah, has already been ordered to abate, the said appellant having passed away. Now that the first appellant, Guddu Agnihotri, is dead, let abatement of the appeal at his instance, be also recorded in the cause title.

4. In view of the fact that both the appellants are no more, this appeal stands **abated**.

5. Let the records be **consigned**.

6. This order has been passed in the presence of learned Counsel for parties.

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

March 16, 2026

I. Batabyal