



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 3194 of 1986

Shankar And Another

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s)

: R. Bhargava

Counsel for Respondent(s)

: A.G.A.

Court No. - 77

HON'BLE SAURABH SRIVASTAVA, J.

1. Although learned AGA is present, no one appeared on behalf of appellants even in the revised list.

2. This appeal had been preferred by appellants under Section 374(2) of Cr.P.C. against judgment and order dated 29.10.1986 passed by learned Special Judge, Mathura in Sessions Trial No.71 of 1986.

3. Vide office note dated 01.08.2025, through which is evident that Chief Judicial Magistrate, Hathras through his report dated 26.09.2025 has apprised the Court that appellant no.1, namely, Shankar had expired about 34 years ago. Insofar as appellant no.2, namely, Budha is concerned, there is no report.

4. In view of the report of Chief Judicial Magistrate, Hathras dated 26.09.2025, the appeal is liable to be dismissed as abated qua appellant no.1.

5. Accordingly, the present appeal is dismissed as having been abated qua appellant no.1.

6. Chief Judicial Magistrate, Hathras is again directed to inform the appellant no.2 that the instant appeal is being listed on regular basis before the High Court since the same is very oldest matter so that he may appear before this Court on the next date.

7. List this matter on 19.01.2026 along with report.

8. Registrar (Compliance) is hereby directed to ensure service of this order upon learned Chief Judicial Magistrate, Hathras forthwith.

December 18, 2025

Rakesh

(Saurabh Srivastava,J.)