



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 931 of 1985

Jagannath And Others

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s) : Manoj Kumar Srivastava, R.P.Singh
Counsel for Respondent(s) : A.G.A.

Court No. - 83

HON'BLE SANJIV KUMAR, J.

Case called on.

No one appears on behalf of the appellants to press this appeal, however, learned AGA is present.

This appeal, preferred by the appellants, to wit, Jagannath, Hari Dass, Ram Autar, is of the year 1985, which is very old and has been pending since then.

Notices were sent to all the above three appellants. A report of learned C.J.M., Kannauj dated 07.04.2026 is on record, which shows that appellant no.1, Jagannath, has died in the year 1988, whereas notice upon appellant no.2, Hari Dass is served.

In verification of death of appellant no.1, Jagannath, a report of police station concerned and a copy of certificate of village Pradhan has been annexed with the report of learned C.J.M. Kannauj.

In view of the above, this appeal stands abated against appellant no. 1, Jagannath. Let abatement be recorded in the array of the parties.

It is reported by learned C.J.M., Farrukhabad that appellant no.3, Ram Autar, resides in District Kanpur Dehat and a letter was sent to learned C.J.M., Kanpur Dehat for service of notice.

The above report is not satisfactory because it was learned C.J.M. Farrukhabad, who was directed to serve the notice upon the appellants.

Therefore, merely sending a letter to learned C.J.M., Kanpur Dehat is not a proper compliance of this Court's order.

Let fresh notices be issued to appellant no.3, Ram Autar, through learned C.J.M., Kanpur Dehat to appear before this Court either personally or through a counsel.

Since notice upon appellant no.2, Hari Dass, has been served personally, but he has not caused appearance either personally or through counsel, let bailable warrant be issued against him through learned C.J.M., Kannauj returnable within three weeks.

In case, appellant no.2 appears before the C.J.M concerned and applies for bail, he may be released on bail upon furnishing a personal bond of Rs. 20,000/- and two sureties, each in the like amount to the satisfaction of C.J.M. concerned and on an undertaking that he shall appear before this Court on the next date fixed.

The learned Chief Judicial Magistrate, Kannauj shall send a compliance report to this Court before the next date fixed.

Learned Chief Judicial Magistrate, Kanpur Dehat, is directed to cause service of notice upon appellant no.3 and submit a report regarding service before the next date fixed.

List on 23.04.2026.

(Sanjiv Kumar,J.)

April 8, 2026
Subham