

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.811 OF 2007

ABDUL KAREEM SAB (D) .. APPELLANT(S)

VERSUS

T. GOPAL & ANR. .. RESPONDENT(S)

WITH

CRIMINAL APPEAL NO. 812 OF 2007

T. GOPAL .. APPELLANT(S)

VERSUS

ABDUL KAREEM SAB (D) .. RESPONDENT(S)

O R D E R

CRIMINAL APPEAL NO.811 of 2007

1. Shri S.N. Bhat, learned counsel for the respondents, on instructions, would submit that the appellant- Abdul Kareem Sab has expired during the pendency of this appeal.

2. Since the appellant- Abdul Kareem Sab has expired during the pendency of the appeal, in view of Section 394 of the Code of Criminal Procedure, 1973, the appeal against him stands abated.

3. However, the State is at liberty to move an application for modification of this order if it is found that the appellant-Abdul Kareem Sab is still alive.

Ordered accordingly.

CRIMINAL APPEAL NO.812 of 2007

1. In view of order passed in Criminal Appeal No.811 of 2007, nothing survives in this appeal for our consideration and decision.

2. The Criminal Appeal is disposed of as having become infructuous.

3. However, it is clarified that if the respondent-Abdul Kareem Sab is found still alive, the appellant is at liberty to move an application for modification of this order.

Ordered accordingly.

.....CJI.
[H.L. DATTU]

.....J.
[V. GOPALA GOWDA]

.....J.
[AMITAVA ROY]

NEW DELHI,
SEPTEMBER 02, 2015.

ITEM NO.10

COURT NO.1

SECTION IIB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No. 811/2007

ABDUL KAREEM SAB (D)

Appellant(s)

VERSUS

T. GOPAL & ANR.
(With office report)

Respondent(s)

WITH

CrI.A. No. 812/2007
(With Office Report)

Date : 02/09/2015 These appeals were called on
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE V. GOPALA GOWDA
HON'BLE MR. JUSTICE AMITAVA ROY

For Appellant(s) Mr. Balaji Srinivasan,Adv.

For Appellant(s)/
Respondent(s) Mr. S.N. Bhat,Adv.

UPON hearing the counsel the Court made the following
O R D E R

CRL.A. No. 811 of 2007

The appeal stands abated. The State is at liberty to move an application for modification of this order if it is found that the appellant-Abdul Kareem Sab is still alive.

CrI.A. NO. 812 of 2007

The criminal appeal is disposed of as having become infructuous in view of order passed in Criminal Appeal No. 811 of 2007.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]