

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1089 OF 2013

CHINTAN UPADHYAY

APPELLANT (S)

VERSUS

HEMA UPADHYAY & ANR.

RESPONDENT (S)

O R D E R

1. Heard Mr. Amit Sharma, learned counsel appearing for the appellant. Also heard Mr. Nilesh Kumar, learned counsel appearing for the respondent No. 1. Mr. Shrirang B. Varma, learned counsel appears for respondent No. 2/State.

2. The first respondent expired on 12.12.2015. The appellant moved the High Court under Section 482 of Cr.P.C. challenging the order dated 08.01.2013 by the learned Additional Chief Metropolitan Magistrate, 21st Court, Bandra, Mumbai in C.C. No.3493/SS/2012. Through the order impugned, the High Court dismissed the petition filed by the present appellant.

3. Considering the nature of accusations in the private complaint and the demise of first respondent on 12.12.2015, the learned counsel for the appellant states that the appeal is not effective for further prosecution. He desires to place the above statement on record and have the appeal dismissed. Statement is placed on record. Accordingly, the Criminal Appeal No. 1089 of 2013 stands dismissed.

.....J.
(S.V.N. BHATTI)

.....J.
(AUGUSTINE GEORGE MASIH)

NEW DELHI;
JANUARY 09, 2025.

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 SCriminal Appeal No(s). 1089/2013

CHINTAN UPADHYAY

Appellant(s)

VERSUS

HEMA UPADHYAY & ANR.

Respondent(s)

Date : 09-01-2025 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE S.V.N. BHATTI
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIHFor Appellant(s) Mr. Amit Sharma, AOR
Mr. Dipesh Sinha, Adv.
Ms. Pallavi Barua, Adv.
Ms. Aparna Singh, Adv.For Respondent(s) Mr. Aayush Agarwala, Adv.
Mr. Pramod B. Agarwala, AOR
Mr. Nilesh Kumar, Adv.

Mr. Shrirang B. Varma, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

UPON hearing the counsel the Court made the following

O R D E R

The appeal stands dismissed in terms of the signed order.

Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS(KAMLESH RAWAT)
ASSISTANT REGISTRAR

(Signed order is placed on the file)