

(2024) 03 OHC CK 0012
In the Orissa High Court
Case No : CRLREV No. 404 Of 2006

Gananath Palkia

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 01-03-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 411

Citation : (2024) 03 OHC CK 0012

Hon'ble Judges : Savitri Ratho, J

Bench : Single Bench

Advocate : S. S. Rath, Rajib Rath, M.R. Mishra

Final Decision : Dismissed

Judgement

Savitri Ratho, J

1. This revision has been filed challenging the judgment dated 25.10.2005 passed by the learned Ad hoc Additional Sessions Judge(FTC), Gunupur in Crl. Appeal No. 73 of 2002 confirming the conviction of the petitioner under Section 411 of the Cr.P.C. and sentence of 1 year by the judgment dated 22.01.2000 passed by the learned J.M.F.C., Bismacuttack in G.R. Case No. 256 of 1993/T.R. No. 69 of 1994.

2. On 26.02.2024, when the matter was listed, Mr. S. S. Rath, learned counsel appearing on behalf of Mr. Rajib Rath, learned counsel for the petitioner has submitted that the petitioner had expired during the pendency of the criminal revision.

3. Mr. M. R. Mishra, learned Additional Standing counsel had been directed to obtain instructions from the Muniguda Police Station regarding the death of the petitioner. Today, Mr. M. R. Mishra, learned Additional Standing counsel produces instruction dated 29.02.2024 received from the IIC, Muniguda Police Station. In which it has been stated that the Gananath Palkia, S/o- Sibadhar @ Kujulu Palkia of vill- Tikarpada, PS- Muniguda, Dist- Rayagada has died on 14.10.2013.

4. The criminal revision therefore abates and is accordingly dismissed. The said instruction is taken on record.

5. Urgent certified copy of this order be granted on proper application.

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