

(2021) 11 J&K CK 0041
In the Jammu And Kashmir High Court
Case No : Criminal Appeal (AS) No. 1 Of 2019

State Of J&K

APPELLANT

Vs

Kewal Krishan

RESPONDENT

Date of Decision : 17-11-2021

Acts Referred:

Jammu And Kashmir State Ranbir Penal Code, 1989 — Section 304
Code Of Criminal Procedure Svt, 1989 — Section 431

Citation : (2021) 11 J&K CK 0041

Hon'ble Judges : Mohd Akram Chowdhary, J

Bench : Single Bench

Advocate : Suneel Malhotra

Final Decision : Disposed Of

Judgement

Mohd Akram Chowdhary, J

The State of J&K has preferred this appeal against the judgment of acquittal recorded by the learned Additional Sessions Judge, Doda in case (File No.117) titled State of J&K v. Kewal Krishan arising out of FIR No.295/2009 for offence punishable under Section 304 RPC.

Vide order dated 25th November, 2020, this Court condoned the delay in filing the acquittal appeal and also granted leave to file appeal against the judgment of acquittal. On 9th July, 2021, the appeal was admitted and post admission notice was issued to the respondent.

As per the note of the Registry, notice issued to the respondent in terms of order dated 09.07.2021 has been received back with the remarks that the respondent has expired on 26th October, 2020 due to COVID-19.

Faced with the aforesaid situation, learned counsel for the appellant expressed his satisfaction to the report, received from the process serving agency and submits that appropriate orders be passed.

In the aforesaid backdrop and in view of the death of the respondent, the appeal shall stand abated in terms of the provisions of Section 431 of the J&K Cr.P.C. The Trial Court record be sent down along with a copy of this order.

Disposed of.