

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 954 OF 2007

BATCHA @ GURAMKONDA
GARIKA PRASAD & ANR.

.....

APPELLANT

VERSUS

STATE OF A.P.

.....

RESPONDENT

O R D E R

We have heard the learned counsel for the parties.

We are told by the learned counsel for the appellants that appellant No. 2 Gurramkonda Hari has passed away on 25th November, 2008. The appeal qua appellant No. 2 is, accordingly, dismissed as having abated.

We see that the prosecution story is based on two dying declarations given by the deceased, one recorded by a Sub Inspector and the other by a Magistrate and that both the dying declarations had been recorded after the doctor had certified that the injured was in a fit condition to make her statement.

In the light of this fact, no other evidence was necessary to maintain the conviction of the appellant. We, accordingly, dismiss the appeal.

.....J
[HARJIT SINGH BEDI]

.....J

NEW DELHI
AUGUST 10, 2011.

[GYAN SUDHA MISRA]

