

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 338/2012

SUMITRA

APPELLANT(S)

VERSUS

STATE GOVT.OF DELHI

RESPONDENT(S)

O R D E R

Read the office report dated 01.05.2024.

It appears that an attempt was made to serve further notice on the appellant in deference to the order dated 14.03.2024; however, though the postal tracking notice reveals that the postal item "was refused and returned", such item has not returned as yet.

Mr. Aldanish Rein, learned counsel appears and submits, on instructions, that the appellant is no more. He is, however, unable to produce the relevant 'death certificate'.

Learned counsel appearing for the State has drawn our attention to the order dated 13.02.2012 passed by this Court. It appears therefrom that the appellant, as per the identity card issued by the Election Commission of India, was 88 years old as on 01.01.2008. Responding to our query, he too expresses inability to produce any documentary evidence to the effect that the appellant is no more.

Considering the age of the appellant as recorded in the aforesaid order dated 13.02.2012 and if the appellant were

alive today, she would be 104 years old. There is high possibility that the appellant is no longer alive.

Instead of insisting for any documentary evidence regarding the death of the appellant, we accept the submission of Mr. Aldanish Rein, record that the appellant is no more, and dispose of the criminal appeal as having abated in terms of Section 394 of the Code of Criminal Procedure, 1973.

Pending application(s), if any, shall stand disposed of.

.....J.
(DIPANKAR DATTA)

.....J.
(PANKAJ MITHAL)

NEW DELHI;
1st MAY, 2024

ITEM NO.102

COURT NO.16

SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No(s). 338/2012

SUMITRA

Appellant(s)

VERSUS

STATE GOVT.OF DELHI

Respondent(s)

Date : 01-05-2024 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Appellant(s) Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s) Mr. Vikramjeet Banerjee, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. A K Panda, Adv.
Ms. Manjula Gupta, Adv.
Mr. Amit Sharma B, Adv.
Mr. Sanjay Kumar Tyagi, Adv.
Mr. Nachiketa Joshi, Adv.
Mr. Shubhendu Anand, Adv.
Mr. Raman Yadav, Adv.

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

The Criminal Appeal is disposed of in terms of the
signed order which is placed on the file.

Pending application(s), if any, shall stand disposed
of.

(GEETA JOSHI)
SENIOR PERSONAL ASSISTANT

(RAM SUBHAG SINGH)
COURT MASTER (NSH)