

593 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRA-S-1382-SB-2007 (O&M)
Date of Decision: 20.05.2025

BHAL SINGH

...Appellant

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the appellant.

Mr. Harkesh Kumar, AAG Haryana.

HARPREET SINGH BRAR J. (Oral)

1. The present appeal has been filed against the judgment of conviction and order of sentence dated 12.07.2007 passed by learned Additional Sessions Judge, Fatehabad in the case stemming from FIR No. 108 dated 01.05.2004 registered under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter to be referred as NDPS Act) at Police Station Sadar Tohana. The appellant was sentenced as follows:

Offence	Sentence
Section 18(c) of NDPS Act	Rigorous imprisonment for 04 years and a fine of Rs. 20,000/- and in case of default, simple imprisonment for 06 months.

2. At the outset, learned State counsel submits that appellant namely Bhal Singh has died on 18.06.2021 and produced photocopy of his death certificate. Same is taken on record. Be tagged at the appropriate place.

3. In view of the judgment rendered by this Court in *Shivji Ram @ Dimple vs. State of Punjab 2023(1) R.C.R.(criminal) 738* as well as the Full



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Bench of the Kerala High Court in *Pazhani S/o Chami vs. State of Kerala 2017(1) R.C.R. (Criminal) 1045*, the present appeal is disposed of with the following directions:

- (i) The appeal shall stand abated on account of death of the appellant.
- (ii) The State exchequer shall be at liberty to recover the fine amount by adopting due process of the law.
- (iii) If State chooses to start recovery process of the amount of fine from the estate of the deceased appellant, a valid notice in that regard would be served upon his legal heirs who has a vested right in the said estate.
- (iv) If any such legal heir or any interested person is aggrieved with the process of recovery of fine, he may move an appropriate application before this Court seeking revival of the appeal. However, the same must be done within 30 days of receipt of such notice.
- (v) Such legal heir or any interested person would also be at liberty to deposit the total amount of fine, which is subject matter of the appeal, in the office of concerned authority.
- (vi) If revived, the appeal shall be heard on merits.

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

20.05.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable Yes/No