



**262 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRA-S-2467-2019**

**Date of decision: 14.07.2025**

**DAVINDER SINGH**

**...APPELLANT**

**V/S**

**STATE OF PUNJAB**

**...RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Ms. Loveinder Kaur, Advocate for the appellant.  
(Legal Aid Counsel)

Mr. Nitesh Sharma, DAG, Punjab.

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**HARPREET SINGH BRAR, J. (ORAL)**

1. Present appeal has been preferred against the judgment of conviction and order of sentence dated 24.04.2017 passed by learned Judge, Special Court, Gurdaspur, whereby, the appellant has been convicted under Section 22 of NDPS Act for a period of 10 years along with a fine of Rs.1 lakh along with default mechanism in case stemming from FIR No.18 dated 26.05.2015 registered under Sections 21, 22, 61, 85 of NDPS Act and Sections 411, 414 of IPC and Sections 25-54-59 of Arms Act, Section 3 of O.S. Act, Sections 3-34-20 of IP Act, 14-F Act and 61-1-14 of Punjab Excise Act at Police Station Ghuman Kalan.

2. Learned State counsel, at the very outset, submits that during the pendency of the present appeal, appellant has died on 11.01.2022 and prays for abatement of proceedings qua the applicant/appellant.



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 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, qua appellant-Davinder Singh :

- (i) The appeal shall stand abated qua appellant on account of his death.
- (ii) The State exchequer shall be at liberty to recover the fine amount by adopting due process of the law against him.
- (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, qua appellant, in the office of concerned authority.
- (vi) If appeal is revived qua appellant, the appeal shall be heard on merits.

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

July 14, 2025  
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**(HARPREET SINGH BRAR)**  
**JUDGE**

- |      |                           |        |
|------|---------------------------|--------|
| (i)  | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable        | Yes/No |