

High Court of Sikkim

Record of proceedings

Crl. A. No.19 of 2024

Rudra @ Sonam Lepcha

Appellant

VERSUS

State of Sikkim

Respondent

Date : **05-11-2025**

CORAM : **THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE**
THE HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDGE

For Appellant Mr. Bhusan Nepal, Advocate (Legal Aid Counsel).

For Respondent Mr. Yadev Sharma, Additional Public Prosecutor.

ORDER

Rai, J.

Learned Counsel for the Appellant submits that he is in receipt of a copy of letter bearing Memo No.446/GOS/PRISON/2025, dated 30-08-2025, addressed to the Member Secretary, State Legal Services Authority, Development Area, Gangtok, from the Jailor, State Central Prison, Rongyek. The letter contains the information that the convict/Appellant in the instant matter was diagnosed with the case of *moderately differentiated squamous cell carcinoma of the left aryepiglottic fold and pyriform sinus* and had undergone chemo-radiation therapy at STNM Hospital. He developed health complications on 29-08-2025, upon which he was admitted to the STNM Hospital and his family members duly informed but he passed on 30-08-2025, at the hospital at around 0815 hours. That, in the circumstances the matter may be disposed of accordingly.

Learned Additional Public Prosecutor has no objection.

In the circumstances, the Appeal abates against the Appellant, relevantly there are no submissions in the context of the proviso to Section 394 of the Code of Criminal Procedure, 1973 (now Section 435 of the Bharatiya Nagarik Suraksha Sanhita, 2023) and the Appellant having passed more than a month ago.

Copy of the letter dated 30-08-2025, is taken on record.
Appeal stands disposed of accordingly.

Judge
05-11-2025

Judge
05-11-2025