



CrPC S. 374(2) - Whether an appeal against conviction can be dismissed on the ground that the accused is absconding

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Criminal Procedure Code, 1973, Section 374(2) - Whether an appeal against conviction can be dismissed on the ground that the accused is absconding - Appeal - Admitted - Dismissal for non-prosecution - Right of hearing - High Court held that though the remedy of an appeal is a valuable right, appellant forfeited his right to prefer an appeal the moment he escaped from the custody and flagrantly abused the process of law - The brazen action of the appellant of absconding and defeating the administration of justice can be well understood - However, that is no ground to dismiss an appeal against conviction, which was already admitted for final hearing, for non-prosecution without adverting to merits - Remanded for hearing on merits.

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