

Court No. - 69

Case :- CRIMINAL REVISION No. - 3729 of 2014

Revisionist :- Ram Chandra @ Chinkoo

Opposite Party :- State of U.P.

Counsel for Revisionist :- Tripurari Sharan Shukla

Counsel for Opposite Party :- Govt.Advocate

Hon'ble Samit Gopal,J.

1. List revised.

2. Heard Sri Tripurari Sharan Shukla, learned counsel for the revisionist and Sri Ajay Singh, learned A.G.A.-I for the State and perused the material on record.

3. On 18.10.2023 the following order was passed by this Court:-

"1. List revised. No one appears on behalf of the revisionist to press this revision. Even the revisionist is not present in person. Sri S.K. Pandey, learned counsel for the State is present.

2. The trial court records have been received. On the last occasion the matter was adjourned on the request of learned counsel for the revisionist. The revisionist is on bail vide order dated 5.12.2014.

3. Since there is no representation on behalf of the revisionist Ram Chandra @ Chinkoo, issue non bailable warrants against the revisionist Ram Chandra @ Chinkoo. The Chief Judicial Magistrate concerned shall ensure arrest of the revisionist and lodge him in jail and send compliance report to this Court within three weeks.

4. Let the matter be listed on 22.11.2023.

5. Office to communicate this order to the C.J.M. concerned within one week from today for compliance."

4. Subsequently on 22.11.2023 the following order was passed by this Court:-

"1. List revised.

2. Sri Tripurari Sharan Shukla, learned counsel for the revisionist placed annexure 4 to the affidavit dated 17.11.2023 at particularly page 20 of the same for some argument. The said page is totally eligible. He states that a copy of the same has been filed but there is nothing on record.

3. Learned counsel for the revisionist submits that he may be granted two days time to file a proper affidavit supplementing the same.

4. Prayer is allowed.

5. Let the matter be listed on 29.11.2023."

5. Learned counsel for the revisionist while placing Annexure-4 of the affidavit 23.11.2023 argued that the revisionist after serving out the entire sentence awarded to him by the trial court and affirmed by the appellate court has been released from jail in which the period of remission is also included. It is argued that since the revisionist has served out the entire sentence awarded to him, he has instructions to get the present revision dismissed as not pressed. He submits that in compliance of the order dated 18.10.2023 the revisionist has been arrested and is in jail.

6. A report of the Chief Judicial Magistrate, Balrampur has also been placed on record by the office as noted in the order-sheet in its office report dated 21.11.2023. It is submitted that the revisionist was arrested on 05.11.2023 and is in jail since then.

7. Since the revisionist has served out the entire sentence awarded to him, the revisionist is directed to be released forthwith from jail unless wanted in any other case.

8. As prayed, the present criminal revision is dismissed as not pressed.

9. Office is directed to communicate this order to C.J.M. concerned within ten days.

Order Date :- 29.11.2023

AS Rathore

(Samit Gopal,J.)