

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPEAL NO.131 OF 2009

Ankush Sopan Burange & Anr. ... **Appellants**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr.Amit Sale, Advocate for the Appellant

Mr.Deepak Thakre, APP for the Respondent/State.

....

CORAM : A. M. THIPSAY J.

DATED : 9TH JANUARY, 2015

P.C.

Heard the learned counsel for the appellant No.1.

2. The appeal, so far as related to appellant No.2, has already been permitted to be withdrawn by an order dated 12th December, 2014. The learned counsel for the appellant No.1 states that since the appellant has already undergone the entire sentence imposed upon him, he does not wish to press the appeal. He states that he has instructions to withdraw the appeal.

3. Report received from the Superintendent, Yervada Central Prison indicates that the appellant No.1 had already been released from prison on 01/04/2014 after undergoing the sentence.

4. Though the appeal is not pressed, since it has been admitted, I have gone through the impugned judgment.

5. It appears that appellant No.1 was caught on the spot immediately after the incident. He was identified as one of the culprits by eye-witnesses to the incident.

6. Under the circumstances, when no arguments in support of the appeal are, as aforesaid, advanced, it is not possible to hold that the impugned judgment suffers from error, illegality and impropriety.

7. The appeal is dismissed.

(A. M. THIPSAY J.)