

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

**Criminal Appeal S-1925-SB of 2004
Date of Decision: October 9, 2015**

Jitender Kumar @ Kalia

.....Appellant

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE T.P.S.MANN

Present : Mr. Surender Deswal, Advocate
for the appellant.

Mr. Dhruv Dayal, Deputy A.G., Haryana.

T.P.S.MANN, J. (Oral)

The appellant has filed the present appeal aggrieved of the judgment and order dated 7/8.5.2004 passed by learned Additional Sessions Judge, Panchkula whereby he was convicted and sentenced as follows:-

- (i) Rigorous imprisonment for a term of four years and to pay a fine of Rs.500/- under Section 399 IPC and in default of payment of fine, to further undergo simple imprisonment for a period of two months;
- (ii) Rigorous imprisonment for a term of three years and to pay a fine of Rs.500/- under Section 402 IPC and in default of payment of fine, to further

undergo simple imprisonment for a period of two months; and

- (iii) Rigorous imprisonment for a term of three years and to pay a fine of Rs.500/- under Section 25 (1-A) of the Arms Act and in default of payment of fine, to further undergo simple imprisonment for a period of two months;

All the substantive sentences of imprisonment imposed upon the appellant were ordered to run concurrently.

As per the custody certificate dated 6.10.2015 produced by the State counsel, the appellant was released on 21.1.2006 on expiry of sentence after giving him the benefit of under-trial period under Section 428 Cr.P.C. and earned remission. Even the amount of fine was paid by him at the jail gate.

Learned counsel for the appellant submits that as the appellant has already completed the sentences of imprisonment imposed upon him and deposited the fine, the present appeal is rendered infructuous.

Disposed of, accordingly.

October 9, 2015
amit rana

(T.P.S. MANN)
JUDGE