

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

Crl. Appeal S-693-SB of 2004
Date of Decision : January 21, 2016

Rajiv Kumar and another	VERSUS	Appellants
State of Punjab		Respondent

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

Present : Mr. Parveen K. Kataria, Advocate
for the appellants.

Mr. Vikram Bishnoi, Asstt. Advocate General, Punjab.

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

The appellants alongwith three others were tried for committing offences punishable under Sections 399 and 402 IPC. Vide judgment and order dated 23/24.12.2003, learned Additional Sessions Judge (Fast Track Court), Kapurthala, absolved them of the charge under Section 399 IPC due to lack of evidence. The appellants and others, were however, convicted under Section 402 IPC and sentenced to undergo rigorous imprisonment for five years and to pay a fine of Rs.2,000/- each and in default of payment of fine, to further undergo rigorous imprisonment for two months.

Aggrieved of their conviction and sentences, the appellants filed the present appeal.

As per the custody certificates already brought on

record by the learned State counsel, appellant Rajiv Kumar was released from custody on 15.2.2006 while appellant Sushil Kumar on 16.1.2006 on completing their substantive sentences of imprisonment and also sentences in default of payment of fine.

Learned counsel for the appellants submits that as the appellants have already completed their substantive sentences of imprisonment and also the sentences in default of payment of fine, the present appeal has been rendered infructuous.

Disposed of, accordingly.

January 21, 2016
amit rana

(T.P.S. MANN)
JUDGE