

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Appeal S-882-SB of 2004
Date of Decision : July 15, 2016

Rajinder @ Patila
.....Appellant

VERSUS

State of Haryana
.....Respondent

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

Present : None for the appellant.

Mr. Ashok S. Chaudhary, Addl. A.G., Haryana.

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

The appellant, namely, Rajinder @ Patila son of Bhagwan Dass, resident of House No. 815/18, Shanti Nagar, Gurgaon was tried for committing the offences punishable under Sections 186, 353 and 307 IPC and Section 25 of the Arms Act. Vide judgment and order dated 23/24.2.2004, learned Additional Sessions Judge, Gurgaon convicted him for the aforementioned offences and sentenced him as under:-

Offence	Sentence
Section 186 IPC	Rigorous imprisonment for three months;

Section 353 IPC	Rigorous imprisonment for one year:
Section 307 IPC	Rigorous imprisonment for five years and to pay a fine of Rs.1,000/- and in default of payment of fine, to undergo rigorous imprisonment for one month; and
Section 25 of the Arms Act	Rigorous imprisonment for one year and to pay a fine of Rs.500/- and in default of payment of fine, to further undergo rigorous imprisonment for fifteen days.

All the sentences were ordered to run concurrently and the period of detention already undergone by him during investigation and trial was ordered to be set off against the aforesaid sentences imposed.

The appeal filed by the appellant against his conviction and sentences came to be admitted on 26.4.2004. Subsequently, he applied for suspension of his sentence of imprisonment but vide order dated 28.9.2004, a co-ordinate Bench of this Court found no ground to suspend his sentence of imprisonment at that stage. Accordingly, the application preferred

by him was dismissed. Thereafter, the appellant did not move this Court for suspension of his sentence of imprisonment.

As per the custody certificate produced by the learned State counsel, the sentence of the appellant expired on 12.2.2008. Even the fine of Rs. 1,500/- was deposited by him at District Jail, Gurgaon.

As the appellant has already served the entire sentence of imprisonment imposed upon him and also deposited the fine, the appeal filed by him has practically become infructuous. For that reason, even the learned counsel representing him has not put in appearance.

Resultantly, the appeal is disposed of as having become infructuous.

July 15, 2016
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(T.P.S. MANN)
JUDGE