

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

Criminal Appeal S-997-SB of 2004
Date of Decision : September 23, 2016

Gian Chand	VERSUS	Appellant
State of Punjab		...Respondent

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

Present : Mr. Akaant Kumar Mittal, Advocate
for the appellant.

Mr. Vikram Bishnoi, Asstt. A.G., Punjab.

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

The appellant was tried for committing offences under Section 307 IPC and Section 146 of the Railways Act. Vide judgment and order dated 14.11.2003, learned Additional Sessions Judge, Sangrur, acquitted him of the charge under Section 146 of the Railway Act. He was, however, convicted under Section 307 IPC and sentenced to undergo rigorous imprisonment for five years and to pay a fine of Rs.1,000/- and in default thereof, to further undergo rigorous imprisonment for one month.

Aggrieved of the impugned judgment of conviction and sentence, the appellant filed the present appeal, which was admitted on 27.5.2004, when he was also ordered to be released on bail.

Learned State counsel has produced the custody certificate, as per which, the appellant was also convicted in FIR No. 85 dated 10.2.2000 under Section 304 Part II IPC, Police Station Civil Lines, Patiala vide judgment and order dated 14.12.2002 passed by learned Sessions Judge, Patiala and awarded imprisonment for seven years. Subsequently, he was convicted and sentenced in the present case, as mentioned above. In all, he was required to undergo imprisonment for twelve years. After undergoing actual period of eight years, seven months and twenty one days besides earning remission of three years, five months and two days, he served out both the sentences of imprisonment and was released from the jail after paying the fine amount at the jail gate on 11.11.2005.

Learned counsel for the appellant submits that as the appellant has already undergone the entire sentence of imprisonment and deposited the amount of fine, the present appeal has been rendered infructuous.

Disposed of as such.

September 23, 2016
amit rana

(T.P.S. MANN)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No