

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-2196-SB-2011

Date of decision : May 17, 2016

Nanak Singh & Another

.....Appellants

Versus

U.T. Chandigarh

..... Respondent

CORAM : HON'BLE MR.JUSTICE GURMIT RAM

- 1. To be referred to the Reporters or not? No / Yes
- 2. Whether the judgment should be reported in the Digest? No / Yes

Present : None for the appellants.

Mr. Sukant Gupta, Addl. P.P.,
for U.T. Chandigarh.

GURMIT RAM, J.

1. This appeal is presented by aforesaid appellants-Nanak Singh and another against the judgment and order of sentence dated 23.08.2011 passed by learned Additional Sessions Judge, Chandigarh in criminal case bearing FIR No.145 dated 22.07.2010 under Sections 399, 402, 353 read with Section 34 of the Indian Penal Code ('IPC' – for short), Police Station Sector 26, Chandigarh vide which they were held guilty for the offences punishable u/Ss 399, 402 and 353 read with Section 34 of the IPC and sentenced thereunder as detailed below:-

Offence under Sections	Sentence
Under Section, 399, IPC.	Three years rigorous imprisonment each and a fine of Rs.1,000/- each. In default of payment of fine, accused/convict shall further undergo rigorous imprisonment for fifteen days.

Offence under Sections	Sentence
Under Section, 402, IPC.	Three years rigorous imprisonment each and a fine of Rs.1,000/- each. In default of payment of fine, accused/convict shall further undergo rigorous imprisonment for fifteen days
Under Section, 353, IPC.	One year rigorous imprisonment each.

2. The appellants-herein (accused) being not satisfied with the impugned judgment and order of sentence have come up with the instant appeal, notice of which was given to the respondent-State. Record of trial Court was also requisitioned and perused.

3. The learned State Counsel has already produced the custody certificate in respect of appellant-Nanak Singh, in which it is found recorded that this appellant was released from jail on 11.07.2013 after the expiry of his sentence. Today, custody certificate in respect of appellant-Kalia has also been produced on the record in which it is found recorded that this appellant was released from jail on 09.06.2013 after expiry of his sentence and fine of Rs.2,000/- was paid at the jail gate on 29.05.2013.

4. Notice was given to learned counsel for the appellants who has not come present despite his service. As abovementioned both the appellants have already undergone the entire sentence imposed upon them and nobody has come forward on behalf of the appellants to pursue this appeal, consequently, this appeal stands dismissed as having been rendered infrustuous and disposed of accordingly.

May 17, 2016
Gaurav Sorot

(GURMIT RAM)
JUDGE