

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL APPEAL NO. 237/2015**

Prakash @ Omprakash s/o Dewaji Kolte ..vs.. The State of Maharashtra thr. PSO P. s.
Bhandrawati, Chandrapur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. A. Jaltare, Advocate for appellant.

Mrs. M. H. Deshmukh, A.P.P. for the respondent.

CORAM : V.M. DESHPANDE, J.

DATED : JUNE 9, 2017

This appeal was presented before this Court in view of the appellant's conviction under the relevant provisions of the POCSO Act, 2012. He was directed to suffer rigorous imprisonment for three years and to pay a fine of Rs.1,000/- and in default to undergo rigorous imprisonment for one month. This order of conviction was passed by the learned Special Judge, Warora in Spl. (POCSO) Case No.5/2014. Initially, the Legal Aid Committee had appointed Mr. Bhagwan Lonare, Advocate on behalf of the appellant. Subsequently, the matter was entrusted to Mr. A. Jaltare, Advocate in view of the fact that Mr. Lonare has become Assistant Public Prosecutor.

The registry of this Court received a communication from the appellant/convict that he wishes to withdraw the appeal. This matter was listed before me on 07.06.2017. On that day, looking to the quantum of punishment, the learned A.P.P. was directed to take instructions as to whether the appellant is still in jail or what.

Mrs. Deshmukh, the learned A.P.P., upon instructions from the Central Prison, Nagpur makes a statement that the appellant-Prakash Kolte is released from jail on 20.05.2017 on his completion of serving of the jail sentence awarded to him.

In that view of this matter, this criminal appeal has rendered infructuous. The same is, therefore, dismissed.

Professional Charges of Mr. A. Jaltare, the learned appointed counsel are quantified at Rs.2500/-. However, he states that the said fees shall be given as donation to the High Court Bar Library.

JUDGE