

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Appeal No.552 of 2002**

Janohar Prasad S/o Bhagbathia Chouhan, R/o Village Mouhadoda
P.S. Sarangarh, District Raigarh (CG).

---- Appellant

Versus

State of Chhattisgarh, through Police Station, Sarangarh, Distt. Raigarh
(CG).

---- Respondent

For Appellant	:	None
For respondent/State	:	Shri Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Judgment on Board

24.03.2018

1. The appellant stands convicted for the offence punishable under Section 324 IPC and have been sentenced to undergo RI for 6 months with default stipulation, vide judgment dated 08.02.2002 passed by the Illrd Additional Sessions Judge (FTC), Raigarh, in Sessions Trial No.205 of 2001.
2. The judgment of conviction dated 08.02.2002 was subjected to challenge by way of present appeal which was filed on 10.05.2002. The appeal came up for hearing before the court for consideration on suspension of sentence and grant of bail on 27.11.2002. The records shows that before the matter came up for hearing on suspension of sentence, the appellant had already undergone the entire substantive sentence of six months and he stood released on 15.02.2002 i.e. even before filing of the present appeal.

3. In view of the aforesaid factual matrix of the case, since the appellant has already undergone the entire substantive sentence before filing of the appeal, this court is of the opinion that nothing further remains to be considered in this case. Nor has the appellant showing any keen interest in pursuing the appeal as there is no representation on his behalf inspite of being out of jail. The appeal thus, by efflux of time has now become infructuous.
4. Accordingly, the appeal is dismissed as having become infructuous.

Sd/-
(P.Sam Koshy)
Judge