

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Appeal No.137 of 2009**

Vijay Singh Maan @ Jaspal Singh, aged about 55 years, S/o Jaswant Singh R/o in front of BK Company Nandani Road, Jhopda, Ghasidas Nagar Ward, Police Station Jamul, District Durg (CG).

---- **Appellant**

Versus

State of Chhattisgarh, through Police Station, Jamul, Distt. Durg (CG).

---- **Respondent**

For Appellant	:	Ms. Sunita Jain, Advocate.
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 307 IPC and have been sentenced to undergo RI for 5 years and fine of Rs.500/- with default stipulation, vide judgment dated 17.12.2008 passed by the Sessions Judge, Durg, in Sessions Trial No.38 of 2008.
2. The counsel for the appellant submits that the appellant has completed his substantive jail sentence and was released from jail in the month of October, 2011. She further submits that after his completion of jail sentence, in spite of making best efforts to contact him, there is no response from his side. The appellant does not appear to be keen in contesting the appeal. It appears that the appellant has lost interest in challenging the impugned judgment of conviction as he has already completed the entire jail sentence and have been released from jail.

3. In view of the aforesaid factual matrix of the case, since the appellant has already undergone the entire substantive sentence and released from jail, this court is of the opinion that nothing further remains to be considered in this case. Nor is the appellant showing any keen interest in pursuing the appeal 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

inder