

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Appeal No.541 of 2006**

Nar Singh S/o Khorbhara Satnami, aged about 42 years, R/o village Ravanbhata, Mungeli, PS Mungeli, Distt. Bilaspur (CG).

---- Appellant

Versus

State of Chhattisgarh, through Police Station, Mungeli, Distt. Bilaspur (CG).

---- Respondent

For Appellant	:	None
For respondent/State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Judgment on Board**

24.03.2018

1. The appellant stands convicted for the offence punishable under Section 304 (2) IPC and have been sentenced to undergo RI for 10 years and fine of Rs.1000/- with default stipulation, vide judgment dated 23.05.2006 passed by the Additional Sessions Judge, Mungeli, in Sessions Trial No.5 of 2005.
2. Initially the appellant had engaged a Lawyer to contest his case. However, subsequently the lawyer appeared before the court and during hearing on 08.07.2009 submitted before the court that the appellant has taken NOC from his office. Subsequently, since there was no representation, a notice from the court was sent to the appellant who was then in jail. Thereafter, legal aid counsel was appointed on behalf of the appellant to pursue the case. This was in the year, 2009.
3. The State counsel today, on instructions from the jail authority, intimate

the court that the appellant has completed his substantive jail sentence and has released from jail on 06.07.2010.

4. Since 06.07.2010 onwards the appellant does not appear to be keen in contesting the appeal and has not entered appearance, nor has he pursued with the matter before the legal aid counsel for an early disposal of the appeal. It appears that the appellant has lost interest in challenging the impugned judgment of conviction as he has already completed the jail sentence and has been released from jail on 06.07.2010.
5. In view of the aforesaid factual matrix of the case, since the appellant has already undergone the entire substantive sentence and released from jail on 06.07.2010, 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 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.
6. Accordingly, the appeal is dismissed as having become infructuous.

Sd/-
(P.Sam Koshy)
Judge