

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 230

Criminal Appeal No.D-1035-DB-2013 (O&M)

Date of decision : 18.05.2018

Ankur Gupta

..... Appellant

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Kanav Bansal, Advocate, for
Mr. Munish Kumar Garg, Advocate, for the appellant.

Mr. Ravi Dutt Sharma, DAG, Haryana.

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RAJESH BINDAL, J:

Learned counsel for the appellant submitted that he has no instructions from the appellant to appear in the appeal. He may be permitted to withdraw his power of attorney.

Ordered accordingly.

Custody certificate of the accused dated 17.05.2018 produced by the learned State counsel in Court is taken on record.

The appellant in the present case was convicted under Sections 376(2)(c), 376(2)(f) and 506 IPC and sentenced to undergo imprisonment for life. Fine of ₹4,10,000/- was also imposed. The charge proved against the appellant was that he had sexually exploited minor girls aged 9, 11 and 12 years respectively under the garb of running a NGO for destitute children. The appeal was admitted on 11.09.2013. The appellant was granted parole for four weeks on 13.05.2017 on the ground that he was to get his children admitted in school. He was to surrender in jail on 11.06.2017 but has absconded thereafter. In such cases the authorities

should have been careful in granting parole.

Be that as it may, as the appellant has failed to surrender after he was released on parole for nearly one year, we do not deem it appropriate to hear the appeal on merits. The same is accordingly dismissed. However, liberty is granted to the appellant to get the same revived in case he surrenders back. The State is directed to make earnest efforts to arrest the appellant.

[RAJESH BINDAL]
JUDGE

18.05.2018
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No