

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRA S-618-SB of 2005
Date of Decision : July 5, 2018**

Dhian SinghAppellant

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE T.P.S.MANN

Present : None for the appellant.

Ms. Manjri Nehru Kaul, Addl. A.G., Punjab.

T.P.S.MANN, J. (Oral)

Dhian Singh son of Makhan Singh resident of village Sangravan, Police Station Dhilwan, District Kapurthala had filed the present appeal for challenging the judgment and order dated 14.6.2004 passed by learned Additional Sessions Judge (Adhoc) Jalandhar, whereby, he was convicted under Section 4 of the Explosive Substances Act, 1908 (hereinafter referred to as 'the Act'), and sentenced to undergo rigorous imprisonment for a period of seven years and to pay a fine of Rs.10,000/- and in default of payment of fine, to further undergo rigorous imprisonment for one year. He was also convicted under Section

5 of the Act and sentenced to undergo rigorous imprisonment for five years and to pay a fine of Rs.5,000/- and in default of payment of fine, to further undergo rigorous imprisonment for six months. Both the sentences were ordered to run concurrently and the period already undergone during the investigation and trial was ordered to be set off against the substantive sentence imposed upon him.

The appeal filed by the appellant against his conviction and sentence was admitted on 11.4.2005. Subsequently, an application was filed on behalf of the appellant for suspension of his sentence of imprisonment, which application was, however, dismissed as withdrawn on 31.10.2006. Thereafter, from the record, it is not made out if he was granted concession of suspension of his sentences of imprisonment.

Learned State counsel has produced the status report by way of affidavit of Shri Satinder Kumar, Assistant Commissioner of Police, Central, Jalandhar, wherein, it is mentioned that the appellant was sent to Central Jail, Jalandhar on 7.3.2006, and later, on 3.5.2006, he was shifted to High Security Central Jail, Nabha. It has also been mentioned therein that after due verification from the Central Jail, Nabha, it has come on record that he was released from jail on 10.12.2008 after completion of conviction/sentence.

The appeal has been taken up for final hearing on a couple of occasions but every time there is no representation on his behalf. It appears that the appellant is no more interested in prosecuting the

present appeal as he has already served the sentence imposed upon him.

Resultantly, the appeal is dismissed for want of prosecution.

July 5, 2018

amit rana

(T.P.S. MANN)
JUDGE

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