

**20.07.2021**

Sl. No. 05

Srimanta

Ct. No. – 42

D/L

**CRA/439/2013**

**(Via Video Conference)**

**In Re : S.C. No. 4(10)07, S.T.Case No. 2(5)08 &  
Criminal Appeal No. 25 of 2011.**

**In the matter of : Ganesh Lohar.**

... petitioner.

The instant jail appeal is pending since 2013. None appears on behalf of the appellant. It appears from the Judgement passed by the Learned Additional Sessions Judge, 2<sup>nd</sup> Court at Bankura that the trial of Sessions Case No. 4(10) 07/Sessions Trial No. 2(5) of 2008 was disposed of by the Learned Assistant Sessions Judge, Bishnupur by a Judgement and Order of conviction dated 31<sup>st</sup> May, 2011. The Learned Trial Judge found the appellant guilty of the offences punishable under Section 498A and 306 of the Indian Penal Code and sentenced him to suffer rigorous imprisonment for three years and to pay fine of Rs.1,000/-, in default, to suffer simple imprisonment for three months for the offences punishable under Section 498A of the Indian Penal Code and also sentenced him to suffer rigorous imprisonment for seven years and to pay fine of Rs.2,000/-, in default, to suffer simple imprisonment for six months for offences punishable under Section 306 of the Indian Penal Code. The said Judgement and order of conviction and sentence was upheld by the Learned Additional Sessions Judge, 2<sup>nd</sup> Court at Bankura. Against the Judgement passed by the Learned Appellate Court the appellant has preferred the instant appeal in the year 2013.

It is found from the Judgement passed by the Learned Additional Sessions Judge, 2<sup>nd</sup> Court at Bankura that the appellant was in Midnapore Correctional Home to suffer sentence. From the date of delivery of Judgement passed by the Learned Trial Court nine years have elapsed.

The appellant was surely released from the Correctional Home after serving out the sentence. In view of such circumstances, the instant appeal be **dismissed** being infructuous.

**(Bibek Chaudhuri, J.)**