

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

**CRM-16974-2021 in/and
CRA-S-707-2020**

DECIDED ON: 21st JUNE, 2021

SUMIT KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Navneet Jindal, Advocate for applicant-appellant.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is an application for permission to withdraw the Criminal Appeal No.S-707-2020. The applicant was convicted on 9.8.2019 under Section 376 read with Section 511 IPC, 342 IPC and 10 of Protection of Children from Sexual Offences Act, 2012 and was awarded rigorous imprisonment under Section 376 read with Section 511 IPC for 5 years and to pay fine of Rs.25,000/- and in case of default of payment of fine further R.I. for one year; under Section 342 IPC- rigorous imprisonment for six months and under Section 10 POCSO Act- rigorous imprisonment for 5 years and fine of Rs.25,000/- and in case of default of payment of fine further R.I. for one year.

Learned counsel for the applicant submits that the applicant has undergone sentence. However, he is undergoing sentence due to non-payment of fine and he is ready to deposit the fine but the same is not being accepted due to pendency of appeal. He seeks permission to

withdraw the appeal.

Learned State counsel has no objection if the application is allowed.

Application is allowed.

Main case

Criminal Appeal No.S-707 of 2020 is dismissed as withdrawn.

21st JUNE, 2021
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(AVNEESH JHINGAN)
JUDGE

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

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