

29.11.2022

Court No.35
Item No. 64

D.Hira

CRA 19 of 2012

**Sukumar Mallick
Vs.
The State of West Bengal**

Mr. Tanmoy Kumar Ghosh,
Mr. Arindam Sen.

... for the State

The impugned order of conviction and sentence is dated 3rd December, 2011 when the Court held the appellant to be guilty of the offence punishable under Section 14A (b) of the Foreigners Act, 1946 and to suffer sentence of simple imprisonment for three years with a further direction to pay a fine of Rs.10,000/-, in default, simple imprisonment for further four months.

The appeal has been preferred on the ground, inter alia, of illegality of the said judgment and order of the Trial Court.

Much water has already been flown by the river of Ganges and the report submitted on behalf of the Officer-in-Charge, Dhantala P.S., RPD as produced in Court today dated 29th November, 2022 shows that the appellant has already been deported to his native country, i.e., Bangladesh, after serving the sentence in full.

In such view of the fact, there remains no point in further hearing the appeal and also the appeal becomes infructuous.

Hence, CRA 19 of 2012 is dismissed being infructuous.

Report be kept with the record.

Parties are granted liberty to obtain server copy of this order, for any future reference, until certified copy of the same is obtained.

(Rai Chattopadhyay, J.)

