

IN THE HIGH COURT OF ORISSA AT CUTTACK

JCRLA No.114 of 2005

Basudev Sethi

....

Appellant

Mr. A. K. Pattanaik-1, Advocate

-versus-

State of Odisha

....

Respondent

Mr. Janmejaya Katikia, Additional Government Advocate

CORAM:

THE CHIEF JUSTICE

JUSTICE R. K. PATTANAİK

ORDER

12.08.2022

Order No.

10

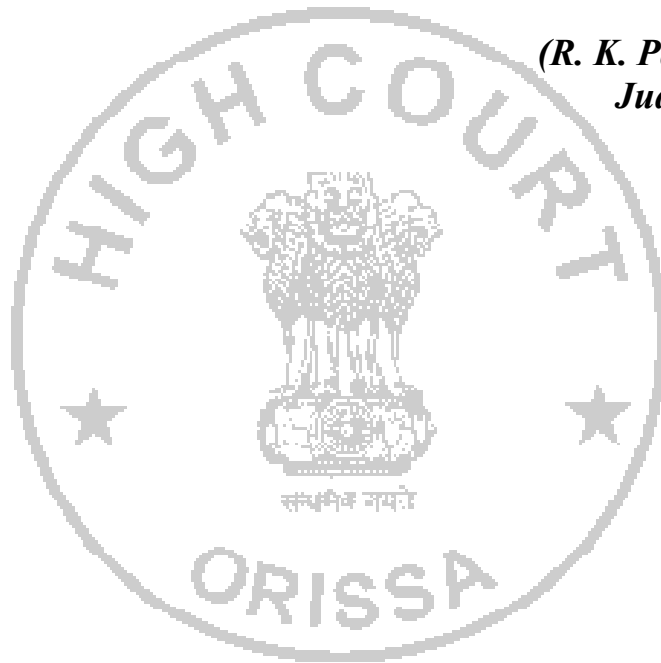
1. This appeal is directed against the judgment dated 12th April, 2005 passed by the learned Additional Sessions Judge, Rairangpur in C.T. No.22/04 (S.T.No.252/04) convicting the Appellant for the offence punishable under Section 302 IPC and sentencing him to under to imprisonment for life and to pay a fine of Rs.2000/-, in default to further imprisonment for two months.

2. However, it has been brought to the notice of the Court by the Directorate of Prisons that during the pendency of this appeal, the Government of Odisha in exercise of the powers conferred by Section 432 of the Code of Criminal Procedure, 1973 has remitted the unexpired portion of the sentence passed against the Appellant and ordered his premature release and pursuant thereto, the Appellant has already been released.

3. In view of the above, the appeal has become infructuous and is disposed of as such. However, the Appellant is at liberty to approach the Court for revival of this appeal, in case he wishes to have the appeal decided on merits.

(S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge



M. Panda