

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CR. APPEAL NO. 16 OF 2020
WITH
INTERIM APPLICATION NO. 30 OF 2020**

Chandrakant Maruti Shinde @ Chandu	...Appellant/ Applicant
Versus	
The State Of Maharashtra	...Respondent

....

Mr. Jay J. Chheda, Advocate for the Appellant/ Applicant.

Ms. P. N. Dabholkar, APP for the Respondent – State.

Mr. Chandrakant Maruti Shinde @ Chandu Appellant/Accused
Present Through Video Conferencing.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	9th FEBRUARY, 2022.

PER COURT:

1. The applicant has been sentenced to suffer imprisonment of five years for offence under Section 10 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act') vide judgment and order dated 23rd October, 2019.

2. The appeal is pending before this Court since 2020. The appeal and applications for suspension of sentence of imprisonment were not pursued. Learned APP had sought instructions from the jail about the period of sentence

undergone by the appellant/applicant.

3. Today learned Advocate Mr. Jay Chheda appeared and submitted that he has no instructions to appear in the matter and the papers were returned to the wife of the appellant.

4. Learned APP took instructions from the Jail Authority, Nagpur Central Prison and Video Conferencing with the appellant has been arranged. Appellant/accused is present through Video Conferencing. On inquiry with him he submitted that he is completing the sentence of imprisonment shortly and he would be out of jail in the next month. He is not interested in pursuing the appeal.

5. In these circumstances, the jail officials were requested to record the statement of the appellant in that regard and submit the statement to the office of learned APP, High Court, Mumbai.

6. The office of Public Prosecutor and the learned APP received the communication from Jail Authority, Nagpur Central Prison in the form of the application written by appellant stating that the appellant has been convicted for offence under the POCSO Act and sentenced to suffer imprisonment for 5 years. The appellant had preferred an

appeal before this Court and since he will be released from jail after undergoing sentence of imprisonment, he is not interested in pursuing this appeal and the same may be disposed of as withdrawn. The report is taken on record and marked as "X" for identification.

7. In view thereof, Criminal Appeal No.16 of 2020 and Interim Application No.30 of 2020 stand disposed of as withdrawn.

(PRAKASH D. NAIK, J.)