

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.264 OF 2020

Sarvan Sanga Rajbhar

Appellant

versus

The State of Maharashtra

Respondent

None present for appellant.

Mr.Arfan Sait, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 25th April 2022

PC :

1. Vide order dated 1st April 2022 the sentence of imprisonment imposed against appellant was suspended by this Court and appellant was directed to be released on bail. However, since none appeared for the appellant, matter was directed to be listed for compliance to ascertain whether order is communicated to appellant and whether he has availed of the facility of bail granted by this Court.

2. Learned APP submitted report dated 24th April 2022 forwarded by the Superintendent of Kolhapur Central Prison, Kalamba, Kolhapur. The report indicate that the order passed by this Court has been communicated to the appellant in jail and he was advised to comply the bail order. However, the appellant has not availed of the bail facility and he has not been released from jail. The appellant has stated that substantive part of the sentence is undergone by him and that he would suffer the entire sentence. The appellant submitted letter dated 24th April 2022 which has been enclosed with

the report. Letter mentions that appellant has been communicated the order dated 1st April 2022 passed by this Court suspending sentence and grant of bail. However, he do not want to avail the bail. Since he would be completing the sentence of imprisonment imposed upon him shortly, he may be permitted to withdraw the appeal. The report dated 24th April 2022 is taken on record.

3. In view of the request made by appellant, Criminal Appeal No.264 of 2020 is allowed to be withdrawn and stands disposed of.

(PRAKASH D. NAIK, J.)

MST