

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRA-S-366-SB-2004 (O&M)
Decided on : 16.12.2022

Palwinder Singh @ Kulwinder Singh @ Pinki

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Anish Verma, Advocate for
Mr. Parveen K. Kataria, Advocate for the appellant.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

Order dated 16.11.2022 says as under:

“In FIR No. 139 of 2001, under Sections 307/324 of IPC, P.S. Gharinda (Amritsar), appellant - Palwinder Singh @ Kulwinder Singh @ Pinki, was convicted under Section 307 of IPC, and was sentenced for a period of 04 years apart fine amount of Rs.1,000/-, vide judgment and order of conviction dated 07.11.2003. Learned State counsel submits that on the basis of written information received from Superintendent, Central Jail, Amritsar, appellant – Palwinder Singh is not found manually as per jail records. However, learned State counsel seeks another adjournment to send other details of the appellant to the jail authorities. Counsel for the appellant submits as per his instructions, appellant has already completed his total sentence period inside jail, as he was never granted bail. Therefore, he also needs time to verify the status of the appellant. Adjourned to 16.12.2022.”

Today, custody certificate dated 15.12.2022 of appellant-

Palwinder Singh @ Kulwinder Singh @ Pinki is produced by learned State counsel in the Court today and same is taken on record.

Registry is directed to tag the same at appropriate place.

Learned State counsel states that as per custody certificate, sentence period of four years including the remission period was completed by the appellant.

Upon this, Mr. Anish Verma, Advocate appears on behalf of Mr. Parveen K. Kataria, Advocate for the appellant and submits that several attempts have already been made by arguing counsel and his office staff to contact appellant- Palwinder Singh @ Kulwinder Singh @ Pinki, but failed. He also states that let this appeal be disposed of for want of the prosecution by granting liberty of its revival, if appellant approaches to this Court against with such request.

In view of the fact that as per custody certificate, appellant has already completed his sentence period of 4 years (including remission period) and also the fact that as per contentions of counsel appearing on behalf of the appellant, nothing much is left in the appeal to agitate, however, he seeks liberty of revival, in case, necessity arise.

In view of the circumstances noticed here above and stand of the parties, present appeal is dismissed , for want of prosecution.

However, liberty is granted to the appellant- Palwinder Singh @ Kulwinder Singh @ Pinki to move an appropriate application for revival of the appeal in order to argue the case on merits, if any, substance is left to be decided for his interest.

Appeal stands disposed of being not prosecuted.

(SANJAY VASHISTH)
JUDGE

December 16, 2022

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Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*