

06.08.2024

Serial no. 1

CT.-35

[G.S.D]

CRA 527 of 2019

With

CRAN 2 of 2020

(Old No. CRAN 815 of 2020)

In the matter of : Sayed Ali @ Chottu

... .. Appellant

Mr. Tapan Dutta Gupta

Mr. Parvej Anam

... for the appellant

Ms. Anasuya Sinha

Mr. Pinak Kr. Mitra

... for the State

The present appeal was preferred challenging the Judgment and Order of conviction and sentence dt. 15.05.2018 passed by the Id. Addl. District & Sessions Judge, 4th Court, Malda in Sessions Trial No. 54(08)/2016 arising out of Sessions Case no. 360 of 2016 (353 of 2016), wherein the Id. trial court on conclusion of trial was pleased to hold the appellant guilty and sentenced him for the offence under Section 489C of the IPC and sentenced him to suffer R.I. for five years and to pay fine of Rs.5,000/- i.d. S.I. for six months.

The genesis of the case related to the English Bazar P.S. Case No. 203 of 2016 dt. 26.03.2016 under sections 489B and 489C of the IPC.

Ms. Sinha, Id. advocate for the State, has submitted a report prepared by the officer of the English Bazar P.S., Malda and is enclosed with a copy forwarded by the Superintendent Balurghat Central Correctional Home, wherefrom, it reflects that the appellant has served out the sentence in connection with English Bazar P.S. Case No. 203 of 2016 and his period of sentence was concluded on 20th of November, 2021 without the fine amount being deposited.

It is also reflected that presently the appellant is detained in connection with another case being SC Case No. 287 of 2017, where, he has been convicted for a period of 10 years.

Having considered the report so submitted by the State, Mr. Dutta Gupta, Id. advocate appearing for the appellant, submits that as the appellant has served out the sentence, it would be futile exercise to conduct the hearing of the appeal on merits of the case.

With the aforesaid observations, CRA 527 of 2019 along with CRAN 2 of 2020 (Old No. CRAN 815 of 2020) is disposed of as infructuous.

Pending application, if any, is also disposed of.

Report so submitted by the State be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)