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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 519/2003

MOHD. AQIL

..... Appellant

Through: Mr. Nitin Saluja (DHCLSC) and
Ms. Simran Khurana, Advocates
(through VC).
Appellant in person.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Amit Ahlawat, APP for State.
SI Ram Niwas, PS Chandni Mahal.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

12.02.2024

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1. The appellant appears in person alongwith counsel who appears through video conferencing,
2. Learned counsel for the appellant, on instructions of the latter, as well learned APP for the State submit that the present appeal has become infructuous on account of the fact that another appeal, i.e, CRL.A. 324/2003 arising out of the same impugned judgment has been disposed of by a learned Single Judge of this Court, *vide* judgment dated 19.12.2006. It is submitted that due inadvertance, the present appellant had filed two appeals with respect to the same impugned judgment of conviction and order on sentence.
3. *Vide* the aforesaid judgment, the learned Single Judge upheld the conviction of the appellant and modified the order on sentence to the extent that he shall undergo 01 month of simple imprisonment instead of 03 years



in default of payment of fine. The said judgment also disposed of an appeal filed by co-convict of the present appellant, i.e, CRL.A. 722/2003.

4. As per the nominal roll received from the concerned Jail Superintendent, the appellant was released on 03.02.2012 after completion of his sentence.

5. In view of the above, learned counsel for the appellant, on instructions of the latter, seeks leave to withdraw the present appeal on the ground that the same as become infructuous as the other appeal filed on behalf of the appellant has already been disposed of on merits.

6. Leave granted.

7. The present appeal is dismissed as withdrawn and disposed of accordingly.

8. Pending applications, if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 12, 2024/sn