

15.05.2025
Ct. No.446
SL. No.07
PG/KS

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION**

**C.R.A. 389 of 2006
Keshimanthan Paramanik & Ors.
Versus
The State of West Bengal**

Mr. Avishek Sinha.....for the State

This appeal has been filed challenging the judgment and order of conviction dated March 31, 2006 passed by the learned Additional Sessions Judge, 1st Court at Purulia in Sessions Case No. 307 of 2005 (Sessions Trial No. 37 of 2005), whereby the order of conviction was passed against five appellants and they were sentenced to pay a fine of Rs. 20,000/- each; in default, to suffer two years and six months simple imprisonment for each of the convicts for the offence punishable under Sections 304 Part-II/34 of the Indian Penal Code.

Further direction was given by the learned Court while passing such order of conviction that if the fine amount is paid by the convicts and if it is realised, in that case 80% of the realised fine amount shall be paid to the wife of the deceased. Being aggrieved by such order, the present appeal was preferred and in course of pendency of this appeal, two of the appellants had died.

The appellant namely, Keshimanthan Paramanik had died on April 29, 2007 and the same was recorded by the coordinate Bench of this Court vide order dated December 18, 2023. Subsequently, the other appellant, namely Pranav Paramanik

expired on August 20, 2021 and such fact was also recorded by the coordinate Bench of this Court vide its order dated April 3, 2024 and accordingly, the appeal was abated against both the above appellants.

So far as the rest of the three appellants are concerned, a report was called for as none appeared before this Court. Accordingly, a report has been furnished by the Officer-in-Charge, Boro Police Station, Purulia through Mr. Avishek Sinha, learned advocate appearing for the respondent/State addressing the learned Public Prosecutor, High Court at Calcutta intimating that all the three appellants namely, Banamali Paramanik, Arati Paramanik and Rebati Paramanik have been released from the Correctional Home after serving out the sentences.

In support of the contention, the report of the District Correctional Home, Purulia is also annexed, which reveals that certificate was issued by the Superintendent, Purulia District Correctional Home on October 8, 2007, which shows that Banamali Paramanik has completed his term of imprisonment and released on October 8, 2007. The Register of Receipts granted by Cashier for Peremptory Cash dated October 8, 2007 also reveals the name of two other appellants and the deposition of the sentenced amount.

It is also submitted by the learned advocate appearing on behalf of the respondent/State that that in view of this facts and circumstances, there is no reason to keep the appeal pending.

Heard the submission and perused the materials placed on record.

In view of the above factual backdrop, this Court is also of the opinion that the appellants being served the sentences, as was directed by the learned trial Court and the appeal is also pending since long, hence the appeal is disposed of as infructuous.

The report filed by the Officer-in-Charge, Boro Police Station, Purulia dated April 6, 2025 shall be kept with the record.

(Chaitali Chatterjee (Das), J.)