

**IN THE HIGH COURT AT CALCUTTA
Criminal Appellate Jurisdiction
Appellate Side**

CRA 467 of 2005

In the Matter of: **Digam @ Digambar Mahato**
.... Appellant

Mr. Satya Ranjan Kundu
... for the Appellant
Mr. Debasish Roy, Ld. P.P.,
Mrs. Faria Hossain, Ld. A.P.P.
Ms Suparna Chatterjee
.. for the State

1. In pursuance of the direction passed by this Court the report submitted by the Superintendent, Midnapore Central Correctional Home is handed over by the learned Advocate for the State during course of hearing.
2. It appears from the report submitted by the Superintendent of Police, Malda Correctional Home that this appellant was released on 2.2.2011, after expiry of sentence, getting benefit of UT set off and having earned remission 401 days and fine being paid.
3. As the appellant had already served out the sentence as passed by the learned Trial Court in the impugned judgement and order of conviction the appeal becomes infractious.
4. Accordingly, the instant appeal be and the same is hereby dismissed affirming the impugned judgement and order of conviction passed by the learned Trial Court dated June 14, 2005, in connection with Sessions Case No. 104 of 2004 (Sessions Trial No. 78 of 2004).
5. Thus the instant appeal being **CRA 467 of 2005** is hereby disposed of.
6. Let a copy of this order along with Trial Court Record be sent down to the learned Trial Court immediately.
7. Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Prasenjit Biswas, J.)