

(2010) 12 P&H CK 0187
In the Punjab And Haryana At Chandigarh
Case No : Criminal Appeal S-1639-SB of 2002

Dharambir Singh

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision : 13-12-2010

Acts Referred:

Penal Code, 1860 (IPC) — Section 201, 304, 365

Citation : (2010) 12 P&H CK 0187

Hon'ble Judges : Tej Pratap Singh Mann, J

Bench : Single Bench

Judgement

T.P.S. Mann, J.—Vide judgment and order dated 16/19.7.2002 Additional Sessions Judge, Faridabad convicted the Appellant under Sections 365, 304 and 201 IPC and sentenced him as under:

(i) Rigorous imprisonment for three years and a fine of Rs. 5,000/- u/s 365 IPC and in default of payment of fine, to undergo further rigorous imprisonment for nine months;

(ii) Rigorous imprisonment for ten years and a fine of Rs. 10,000/- under Section 304 IPC and in default of payment of fine, to undergo further rigorous imprisonment for 21/2 years; and

(iii) Rigorous imprisonment for one year and a fine of Rs.1,000/- u/s 201 IPC and in default of payment of fine, to undergo further rigorous imprisonment for three months.

2. All the substantive sentences awarded to the Appellant were ordered to run concurrently.

3. The present appeal filed by the Appellant against his conviction and sentence was admitted on 1.4.2003. At that time, the Appellant had not prayed for the concession of bail. Even, thereafter, as is apparent from the records, no bail application was filed by the Appellant.

4. Learned State counsel has produced the custody certificate by way of affidavit of Deputy Superintendent, District Jail, Gurgaon, as per which the Appellant was released on expiry of sentence on 9.1.2010 after giving the benefit of under trial period and the remission earned. He was, thereafter, detained on account of non-payment of the fine but was released from the jail on 1.2.2010 on depositing the total fine of Rs. 16,000/-.

5. None has put in appearance for the Appellant. It appears that as the Appellant has already served the sentence of imprisonment and deposited the fine, he is not interested in prosecuting the appeal any further.

Disposed of as such.