



2026:CGHC:10406



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 289 of 2020

1 - Ajeet Kumar S/o Jagdish Ram @ Areniyus Aged About 24 Years R/o Village Of Prosecutrix, P.S. Aasta, District Jashpur, Chhattisgarh, District : Jashpur, Chhattisgarh

... Appellant(s)

versus

1 - State Of Chhattisgarh Through- P.S. Aasta, District Jashpur, Chhattisgarh, District : Jashpur, Chhattisgarh

... Respondent(s)

For Appellant (s)	:	Ms. shimpi Aggarwal, Advocate
For Respondent/State	:	Dr. Surendra Kumar Dwangan, PL

(Hon'ble Shri Justice Arvind Kumar Verma)

Judgment on Board

27/02/2026

The appellant has preferred this criminal appeal under Section 374(2) of the CrPC against the impugned judgment of conviction and order of sentence dated 03.02.2020 passed by the learned Special



Judge POCSO Act, Jashpur, District Jashpur (CG) in Special Criminal Case No. 13/2019, by which the appellant has been convicted for offence punishable U/s 363 IPC and sentenced to undergo Rigorous Imprisonment for a term of 1 year & fine of Rs.10,000/-, in default of payment of fine to further undergo RI for three months.

3. When the case is taken up for hearing, learned counsel for the appellant submits that the sentence awarded to the appellant by the trial Court for the offence punishable under the aforesaid Section for 1 year has already been completed and fine amount has already been deposited. He further submits that the appellant might have already been released from jail on 09.06.2020, as such, instant criminal appeal be disposed of accordingly.

4. When the case is taken up for hearing, learned counsel for the appellant submits that the sentence awarded to the appellant by the trial court for the offence punishable under Section 363 IPC, for 1 year, has already been completed and the fine amount has been deposited by him. He further submits that he has already been released from jail on 09.06.2020 and as such, the instant criminal appeal be disposed of accordingly.

5. Learned State counsel has no objection to the above submission made by the learned counsel for the appellant. In this regard, he has placed reliance on the dictum rendered by Supreme Court in the matter of **Suresh Singh and Another v. State of Haryana reported in (2007) 13 SCC 518**. Paragraph-12 of the said judgment is relevant for the purpose, which is reproduced below for easy reference :-

“12. It appears that thereafter on 22.01.2007,



Criminal Miscellaneous Petition No. 1497 was filed wherein it was stated that Devender Singh (Accused 1) had expired. Death certificate was also produced along with the application. It was further stated that Jai Bhagwan (Accused 2), Jai Pal (Accused 4) and Shamsher Singh (Accused 5) be permitted to withdraw from special leave petition since all the three had already undergone the sentence and special leave on their behalf had become infructuous. The said application was allowed by the Court and the prayer was granted. Thus, out of the six accused only two have remained viz. Suresh Singh, Appellant 1 (Accused 3) and Jagbir Singh, Appellant 2 (Accused No.6)."

6. Since the appellant had already served the entire sentence and released on 09.06.2020 after availing benefit of remission and after depositing the fine amount before the trial Court and the learned counsel for the appellant does not want to press this appeal on merits, the instant criminal appeal is disposed of.

Sd/-

(Arvind Kumar Verma)
Judge