



2026:CGHC:10486



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NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 828 of 2020

Majhar Khan S/o Late Idrish Khan, Aged About 34 Years R/o Tarun Bazar,
Santoshi Nagar, Police Station Tikrapara, District Raipur Chhattisgarh.,
District : Raipur, Chhattisgarh

... Appellant

versus

State of Chhattisgarh, Through - Station House Officer, Police Station
Tikrapara, Civil And Revenue District Raipur Chhattisgarh., District : Raipur,
Chhattisgarh

---- Respondent

For Appellant	:	Ms. Laxmeen Kashyap, Advocate appears on behalf of Mr. Rishi Rahul Soni, Advocate
For State-Respondent	:	Dr. S.K. Dewangan, PL

Hon'ble Shri Arvind Kumar Verma, Judge

Judgment on Board

28/02/2026

1. The appellant has filed the instant appeal under Section 374(2) of the Code of Criminal Procedure, 1973, (henceforth 'the Cr.P.C.') questioning the judgment of conviction and order of sentence dated 03.02.2020 passed in Special Criminal Case No.303/2017 by the



Additional Sessions Judge, First Fast Track Special Court, Raipur (C.G.), whereby the appellant has been convicted and sentenced as under :-

Conviction	Sentence	In Default
Under Section 4 of the POCSO Act, 2012	R.I. for 07 months and fine amount of Rs.2,000/-	Additional RI for 02 months

2. 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 has already been completed and fine amount has already been deposited. She further submits that the appellant has already been released from jail on 19.09.2024, as such, instant criminal appeal be disposed of accordingly.
3. Learned State counsel submitted a PUD dated 23.02.2026 received from the Office of Jail Superintendent, Central Jail, Raipur, District Raipur (C.G.) and would submit that the appellant has already completed his jail sentence awarded to him by the trial Court and has been released from jail on 19.09.2024. In this regard, he has placed reliance on the dictum rendered by Hon'ble 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)."

4. Since the appellant has already served the entire sentence and released from jail on 19.09.2024 after availing benefit of remission after the fine amount before the trial Court and the learned counsel for the appellant does not want to press this appeal on merits, instant criminal appeal is disposed of.



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- 5.** Let the written instructions received from the Jail Superintendent,
Central Jail, Raipur (C.G.), be kept on record.

Sd/-

(Arvind Kumar Verma)
Judge

Vasant