



2026:CGHC:4244



2026:CGHC:4244

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1247 of 2018

Alok Pradhan S/o Tikki Babu Pradhan, R/o- Village Nawrangpur, New Tank Street, Police Station Nawrangpur (Odissa), At Present Resident Of Near Chhatwa Pond, Gondwara, Police Station Khamtarai, District- Raipur, Chhattisgarh.

... Appellant.

versus

State Of Chhattisgarh Through- Station House Officer, Police Station Khamtarai, District- Raipur, Chhattisgarh.

---- Respondent

For Appellant : Ms. Seema Singh, Advocate (Legal Aid)
For Respondent/State : Mr. Rishi Raj Pithawan, Dy. GA.

Hon'ble Shri Justice Arvind Kumar Verma

Judgment on Board

23.01.2026.

1. This appeal has been preferred against the judgment of conviction and order of sentence dated 13.07.2018 passed by learned Additional Sessions Judge, Raipur, (CG) in Special Criminal Case No.140/2017, whereby appellant/accused stand convicted and sentenced as under: -



<u>Conviction</u>	<u>Sentence</u>
U/s 451 of the Indian Penal Code (in short 'the IPC')	R.I. for 1 year and fine of Rs.500/-, in default of payment of fine, additional R.I. for 01 month.
U/s 354 of IPC	R.I. for 02 years and fine of Rs.500/-, in default of payment of fine, additional R.I. for 01 month.
U/s 8 of the POCSO Act	R.I. for 03 years and fine of Rs.1,000/-, in default of payment of fine, additional R.I. for 02 months.

Both sentences are directed to run concurrently

2. No one appeared on behalf of the appellant when the matter is called out for hearing, therefore, I requested for assistance from a Counsel of the High Court Legal Services Committee. Ms. Seema Singh, Advocate is nominated to assist the Court.
3. Learned State Counsel contended that as per written instruction received from the Jail Superintendent, Central Jail, Raipur, present appellant/accused has already completed his jail sentence awarded to him by the trial Court and released from jail on 03.01.2020. In this regard, he places reliance upon the dictum of Hon'ble Supreme Court in case of **Suresh Singh and Another v. State of Haryana** reported in **(2007) 13 SCC 518**. Relevant portion of said judgment reads as under:-

“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 alongwith the application. It was further stated that Jai Bhagwan (Accused 2), Jai Pal (Accused 4) and Shamsheer 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. Learned counsel for the appellant submits that since, the appellant/accused has already been released from jail after serving out the entire substantive sentence imposed upon him by the trial Court, she does not want to press this appeal on merits. The instant criminal appeal be disposed of accordingly.
5. Since the appellant/accused has already completed his jail sentence as also deposited the fine amount imposed by the trial Court and has been released from the jail on 03.01.2020 and learned counsel for the appellant does not want to press this appeal on merits, instant criminal appeal is disposed of.
6. Let the written instruction received from the Jail Superintendent, Central Jail, Raipur, (CG), be kept on record.

Sd/-

(Arvind Kumar Verma)
JUDGE