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2026:CGHC:9737

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 1477 of 2018

1 - Prakash Kerketta S/o Prabhu Sahay Kerketta Aged About 46 Years
R/o Village- Jhargavan, Police Station- Batoli, District- Surguja,
Chhattisgarh. Presently R/o Janakpur, P.H.C.- Janakpur, Police Station-
Raghunathnagar, District- Balrampur- Ramanujganj, Chhattisgarh.,
District : Balrampur, Chhattisgarh

... Appellant

versus

1 - State Of Chhattisgarh Through Police Station- Raghunathnagar,
District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur,
Chhattisgarh

... Respondent

For Appellant : Mr. Bharat Lala Dembra, Advocate

For State /Respondent : Mr. Rajkumar Sahu, PL

(Hon'ble Shri Justice Arvind Kumar Verma)

Order on Board

24/02/2026

1. Perused the concerned report received from the jail authorities.
2. From perusal of the communication and annexed documents of the concerned jail authorities, it appears that the present

appellant, who was convicted by the learned Additional Sessions Judge, Ramanujganj, District Balrampur-Ramanujganj (CG) in Special S.T.(POCSO) No.46/2015 under Section 4 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred as 'POCSO Act') and sentenced to RI for 7 years and to pay fine of Rs.2,000/-, had served the entire sentence after availing benefit of remission and by depositing the entire fine amount before the trial Court, released on 01.10.2020.

3. This Court has perused the judgment under appeal, the depositions of the prosecution witnesses and the documentary evidence on record, with the assistance of the learned counsel for the appellant and the learned State Counsel.
4. Learned counsel for the appellant submits that the sentence awarded to the appellant by the trial Court for the offence punishable under Section 4 of the POCSO Act for 7 years, 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 01.10.2020 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 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).”

6. Since the appellant had already served the entire sentence and released on 01.10.2020 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.

7. Since the appellant had already served the entire sentence and released on 01.10.2020 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.
8. Let the written instructions received from the Jail Superintendent, Central Jail, Ambikapur, District Surguja (C.G.) be kept on record.

Sd/-
(Arvind Kumar Verma)
JUDGE