

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. 728-730 OF 2008

CHANDRA SHEKHAR SINGH & ORS.

Appellant (s)

VERSUS

STATE OF BIHAR

Respondent(s)

O R D E R

The appellants were convicted for an offence punishable under Section 376(2), 323 and 451 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for a period of 12 years and a fine of Rs. 5,000/- each to be paid to the victim as compensation. The incident leading to their conviction and sentence took place as early as in March 1989. The trial court recorded a conviction on 22.8.2001. Appeals preferred against the said order of conviction and sentence were dismissed by the High Court of Patna by its order dated 9.8.2005. The present appeals by special leave were entertained on the basis of a jail petition received from the appellants. It is not clear from the record whether the appellants have ever applied for grant of bail/suspension of sentence. Learned counsel for the appellants in the circumstances argued that since the appellants were convicted as early as in the year 2001 and in the absence of anything to show that they were ever enlarged on bail, post conviction, the appellants may have already undergone the sentence awarded to them. We find merit in that submission. In the circumstances, we see no reason to enter into the merits of the controversy. We accordingly dispose off these appeals as infructuous reserving liberty to the appellants to seek revival of the appeals, in case they have not already undergone the sentence imposed upon them and are still keen to pursue the matter further.

.....J.
 [T.S. Thakur]

.....J.
[Madan B. Lokur]

New Delhi,
January 29, 2013

ITEM NO.105

COURT NO.9

SECTION IIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 728-730 OF 2008

CHANDRA SHEKHAR SINGH & ORS.

Appellant (s)

VERSUS

STATE OF BIHAR
(With office report)

Respondent(s)

Date: 29/01/2013 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Appellant(s) Mr. Ajit Kumar Pande,Adv. [A.C.]

For Respondent(s) Mr. Gopal Singh,Adv. [NOT PRESENT]

UPON hearing counsel the Court made the following
O R D E R

Appeals are disposed of as infructuous in terms of the
signed order.

|(N.K. Goel)
|Court Master

|(S.S.R. Krishna)
|Court Master

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(Signed order is placed on the file)