

Crl. Appl (T) 0149/2010

**THE GAUHATI HIGH COURT**

(High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura, Mizoram & Arunachal Pradesh)

APPELLATE SIDE

Criminal Appl. No. 150(3)/05

District : Yupia (Arunachal P.)

Revision under Section 397/401/482, Code of Criminal Procedure No.

(Through	<u>Krishna Sharma</u>	Appellant/Petitioner
		<u>Bendana Bhuyan (A/cumae)</u>

Versus

State of Arunachal Pradesh

PP. (AP).  
Respondent/Opposite-Party.

Trial Court

Magistrate of

Date 19.

Conviction and sentence.

Appellate Court

Date 19

Serial No. of papers or orders	Date	Notes and Orders	Signature
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AGP: (H. C.) 56/95-20,000-6-4-95.

Note: Offices notes should bear one serial in black, ink and judicial orders (another) in red ink.



**BEFORE  
THE HON'BLE MR. JUSTICE HRISHIKESH ROY**

**24.1.2011**

In pursuant to the order passed by this Court on 12.1.2011 as to whether the appellant continues to be under detention as the period of sentence ordered by the impugned judgment is already over, Mr. I. Basar, learned Addl. Public Prosecutor submits that instructions is received by him from the Superintendent of Police (Crime), Arunachal Pradesh to the effect that the appellant *Krishna Sharma* has been released from District Jail, Jolly on 24<sup>th</sup> May 2010 through the First Track Court, Yupia after the sentence of fine of Rs.5,000/- (Rupees five thousand) was deposited in the Court.

By the impugned judgment in Sessions Case No. 437/2005 of the Addl. District & Sessions Judge FTC (WZ), Yupia, the appellant was convicted on 20.10.2005 and was sentenced to undergo 7 (seven) years rigorous imprisonment with a fine of Rs.5000/- and in default of fine, to undergo 6 (six) months further simple imprisonment.

While the Appeal remained pending in the Principal Seat since 21.12.2005, the period of sentence considering the pre conviction incarceration period, is already completed by the accused and the fine amount has also been deposited by him. Accordingly the appellant was released from custody on 24.5.2010 as is submitted by the learned Addl. Public Prosecutor.

In view of the above developments, nothing remains to be decided in this appeal and the same is ordered to be closed.

A copy of the instruction received from the Superintendent of Police (Crime), sent on 21.1.2011 be kept in the case record.

  
**JUDGE**

*Datta*