

IN THE COURT OF APPEAL
ON APPEAL FROM THE HIGH COURT

CRIMINAL APPEAL NO: AAU 33 of 2012
(High Court HAA 31 of 2011)

BETWEEN : **MUSKAN BALAGGAN** *Appellant*

AND : **THE STATE** *Respondent*

Coram : **Calanchini P**
Kumararatnam JA

Counsel : **Appellant in person**
Mr M Korovou for the Respondent

Date of Hearing : **10 September 2014**

Date of Judgment : **13 October 2014**

JUDGMENT

Calanchini P

[1] This is an application by the Appellant seeking leave to abandon her appeal under Rule 39 of the Court of Appeal Rules (the Rules). The Court is duly constituted by two judges pursuant to section 6(2) of the Court of Appeal Act Cap 12 (the Act).

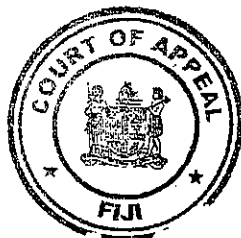
- [2] The Appellant had initially been sentenced to 2 years imprisonment by the Magistrates Court after pleading guilty to giving false information to a public servant contrary to section 201(a) of the Crimes Decree 2009. She subsequently filed an appeal against sentence in the High Court. On appeal the High Court reduced the sentence from 2 years to 18 months imprisonment.
- [3] Pursuant to section 22 of the Act the Appellant filed a notice and grounds of appeal against the judgment of the learned High Court Judge. When the appeal was listed for mention in August 2014 the Appellant indicated that she wished to abandon this appeal.
- [4] That intention was subsequently confirmed in writing by letter dated 10 September 2014.
- [5] The Appellant informed the Court that she has now served the reduced sentence. She stated that her decision to abandon the appeal was made voluntarily and of her own free will. She confirmed that she understood that if her application were granted then her appeal would be dismissed.
- [6] In view of the above the application should be granted and the appeal dismissed.

Kumararatnam JA

- [7] I agree that the appeal should be dismissed.

Order:

Appeal dismissed.



W. Calanchini

HON. MR JUSTICE CALANCHINI
PRESIDENT, COURT OF APPEAL

[Signature]

HON. MR JUSTICE KUMARARATNAM
JUSTICE OF APPEAL