

IN THE COURT OF APPEAL, FIJI  
On appeal from the High Court of Fiji

CRIMINAL APPEAL AAU 68 of 2010  
(High Court HAC 31 of 2009)

BETWEEN : THE STATE

*Appellant*

AND : ASHISH VIMAL CHANDRA

*Respondent*

Coram : Calanchini P  
Guneratne JA  
A. Fernando JA

Counsel : Ms P Madanavosa for the Appellant.  
No appearance by the Respondent.

Date of Hearing : 16 September 2016

Date of Ruling : 30 September 2016

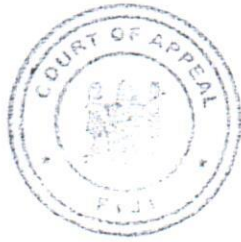
RULING

[1] The Respondent pleaded guilty to one count of manslaughter in the High Court at Labasa. On 26 August 2010 the respondent was sentenced to a term of imprisonment of 3 years.

- [2] On 23 September 2010 the Appellant filed a timely application for leave to appeal against sentence pursuant to Section 21(2) of the Court of Appeal Act Cap 12 (the Act). However by notice dated 18 April 2016 the Appellant applied for leave to abandon the appeal under Rule 39 of the Court of Appeal Rules.
- [3] When the application came before the Court counsel for the Appellant confirmed that the application remained on foot. Counsel stated that the Appellant was aware of the consequences if the application was granted.
- [4] Consequently the application to abandon the appeal against sentence is granted and the appeal is dismissed.

Order:

*Appeal against sentence is dismissed.*



*W. Calanchini*

HON MR JUSTICE W. D. CALANCHINI  
President, Court of Appeal

*J. Guneratne*

HON MR JUSTICE J GUNERATNE  
Justice of Appeal

*A. Fernando*

HON MR JUSTICE A. FERNANDO  
Justice of Appeal