

IN THE COURT OF APPEAL, FIJI
ON APPEAL FROM THE MAGISTRATES COURT
Exercising extended jurisdiction

CRIMINAL APPEAL NO. AAU 146 OF 2017
(Magistrates Court No: 564 of 2016 at Suva)

BETWEEN : **AMAN JEET LAL**
Appellant

AND : **THE STATE**
Respondent

Coram : **Calanchini P**
Chandra JA

Counsel : **Mr M Fesaitu for the Appellant**
Ms S Kiran for the Respondent

Date of Hearing : **24 September 2019**

Date of Ruling : **25 October 2019**

RULING

Calanchini P

[1] The appellant was convicted on his plea of guilty on one count of Act with intent to cause grievous harm by the Magistrates Court at Suva exercising extended jurisdiction. On 12

October 2017 the appellant was sentenced to 3 years 4 months imprisonment with a non-parole term of 2 years.

- [2] The Appellant subsequently filed a timely notice of appeal against conviction and sentence. On 3 May 2019 the Appellant filed an application to abandon his appeal against conviction and sentence pursuant to Rule 39 of the Court of Appeal Rules.
- [3] In accordance with the decision of the Supreme Court in **Masirewa –v- The State** (CAV 14 of 2008; 17 August 2010) the application to abandon the appeal was listed for hearing before the Court of Appeal. At the hearing the appellant confirmed that his decision to abandon the appeal was made voluntarily. He confirmed that he had received legal advice and that he understood the consequences in the event that his application were granted.
- [4] Under the circumstances the application to abandon the appeal against conviction and sentence is granted and the appeal is dismissed.


Chandra JA

- [5] I agree.


Order:

Appeal against conviction and sentence is dismissed.





Hon Mr Justice W D Calanchini
PRESIDENT, COURT OF APPEAL



Hon Mr Justice S Chandra
JUSTICE OF APPEAL