

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Appeal No. S-665-SB of 2005
Date of decision : 02.12.2015

Malkiat Singh

... Appellant

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the digest?

Present : Mr. R.S. Mamli, Advocate
for the appellant

Mr. G.S. Salwara, DAG Haryana

ANITA CHAUDHRY, J.

The appellant has laid challenge to the judgment and order of conviction and sentence dated 18.03.2005 by virtue of which appellant was held guilty under Section 15 of NDPS Act and sentenced to undergo rigorous imprisonment for 1 month and 15 days and to pay a fine of Rs. 1500/- and in default to further undergo imprisonment for 15 days.

Learned counsel for the appellant at the outset urges that he restricts his prayer to the quantum of sentence.

Learned counsel for the appellant urges that appellant had undergone 15 days of custody and the matter relates to 2002 and the appellant has faced a protracted trial and no other case has been registered against him.

Considering the fact that the incident took place in 2002

and no other case had been registered against the appellant in the intervening span of 13 years, the conviction of the appellant is maintained. However, the sentence is reduced to the period already undergone by him. There would be no modification with regard to fine. If the fine is not deposited, it would be deposited within two months failing which he would undergo the default sentence. Copy of the order be sent to the concerned CJM.

With the above modification, the instant appeal stands disposed of.

December 02, 2015

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**(ANITA CHAUDHRY)
JUDGE**