

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRA-S-33-SB of 2015 (O&M)

Date of Decision : 19.01.2015

Salwinder alias Kala

.....Appellant

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vivek Goel, Advocate
for the appellant.

Ms.Amarjit Kaur Khurana, Addl. AG, Punjab.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This appeal has been filed by the appellant against his conviction under Section 21 of the NDPS Act whereby he was sentenced to undergo rigorous imprisonment for period of six months and to pay a fine of 2000/- and in default of payment of fine, to further undergo rigorous imprisonment for seven days.

The allegation against the appellant is that he was allegedly found having in his possession 15 grams of heroin which is a small quantity.

He has stated that the appellant has been in custody for a period of about two months out of six months imprisonment and no other case is stated to be

pending.

Learned Addl.AG has also accepted this fact.

In my considered opinion the small quantity of heroin in possession of the appellant shows that he may have been an addict and not a trafficker and having been inside for a period of about two months is sufficient punishment for him. The ends of justice would be entirely met if he is sentenced to imprisonment which he has already undergone during the investigation and trial. Ordered accordingly. He be released if not required in any other case.

Appeal stands disposed of in the above terms.

**(AJAY TEWARI)
JUDGE**

January 19, 2015
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