

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
Criminal Revision No.3762 of 2014 (O&M)
Date of decision: 15th January, 2015
Chandigarh Administration, Chandigarh

...Petitioner

Versus

Santosh Kumar Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rajiv Sharma, Advocate, for the petitioner.

INDERJIT SINGH, J.

Chandigarh Administration, Chandigarh has preferred this petition against respondent Santosh Kumar Singh under Section 401 Cr.P.C., challenging the order dated 13.08.2014, passed by the learned Judge, Special Court, Chandigarh.

As per prosecution version, 10 kg. 'ganja' has been recovered from the possession of respondent which admittedly falls under non-commercial quantity. The petitioner is 30 years old. He has been convicted and sentenced to undergo rigorous imprisonment for a period of 9 months and to pay a fine of Rs.3,000/- and in default of payment of fine to further undergo rigorous imprisonment for a period of 15 days under Section 20 of the Narcotic Drugs & Psychotropic Substances Act, 1985 vide judgment of conviction and order of sentence dated 13.08.2014, passed by the learned Judge, Special Court, Chandigarh. That Court, while passing the sentence, has taken into consideration that the convict is the first offender; he is a young man; he has remained behind the bars for about 3 months and 5 days; he is the only bread winner of his family; he has three school going children and wife to look after and he has faced this long drawn trial. Therefore, the sentence passed by the learned trial Court in no way can be held as inadequate. Keeping in view the recovery from the petitioner, adequate sentence has been passed. No ground is made out to enhance the sentence.

Therefore, finding no merit in the present petition, the same is dismissed.

15th January, 2015
mamta

(INDERJIT SINGH)
JUDGE