

CRA-S-1019-SB-2016 (O & M)

RAVIKANT V/S STATE OF HARYANA

Present: Mr.Namit Sharma, Advocate,
for the appellant(s).

Mr. Arun Luthra, AAG, Haryana.

CRA-S-1019-SB-2016

Heard.

Admitted.

CRM-8414-2016

This is an application under Section 389 Cr.P.C. seeking suspension of sentence awarded to applicant-appellant for commission of offence under section 15 of the NDPS Act.

Learned counsel for the applicant-appellant submits that the quantity of contraband recovered from the applicant is 6 Kgs. 500 Grams of *churapost* which is non-commercial in nature. According to him, applicant has been incarcerated for more than 04 months. As the appeal may take quite some time to come up for regular hearing, thus, sentence awarded to applicant-appellant may be suspended.

Learned State counsel has opposed the prayer for suspension of sentence.

Keeping in view the aforesaid contentions, period of incarceration of the applicant-appellant and the fact that appeal is not likely to be heard finally at an early date, the substantive sentence awarded to applicant-appellant is suspended and he is directed to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Panipat.

(RAJAN GUPTA)
JUDGE

May 26, 2016
sukhpreet