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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA No. S-491-SB of 2016 (O/M)
Date of decision : 29.2.2016

Raj Kumar @ Rinku

..... Appellant

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Rajiv Kumar Saini, Advocate, for the appellant.

Ms. Supriya Arora, Assistant A.G. Haryana.

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

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KULDIP SINGH J. (ORAL)

The learned counsel for the appellant does not challenge the judgment of the lower Court on merits and presses the appeal qua quantum of sentence.

Custody certificate filed in Court today, which is taken on record. The perusal of the custody certificate shows that the appellant has undergone the actual sentence of 6 months and 17 days (as on 28.2.2016).

The appellant was convicted under Section 21(b) of the NDPS Act, 1985, for keeping in his possession 50 grams smack, by the learned Judge, Special Court, Karnal, vide judgment of conviction and order of sentence dated 8.10.2015. He was

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sentenced to undergo rigorous imprisonment for 1 year and to pay a fine of Rs. 5,000/-, in default thereof, to further undergo simple imprisonment for three months. As per the custody certificate, no other case is pending and decided against the appellant.

Keeping in view the previous clean track record of the appellant and keeping in view the sentence already undergone by him, the sentence of the appellant is reduced to the period already undergone. He be released forthwith, if not required in any other case.

With the abovesaid modification, the present appeal is dismissed.

(KULDIP SINGH)
JUDGE

29.2.2016
sjks