

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No.958 of 2008

Smt. Meena Dhruw, W/o Onkar Singh, aged about 36 years, occupation Housewife, R/o Tifrapara, Bilaspur, at present, R/o Khamtarai, P.S. Khamtarai, District Raipur, Chhattisgarh

---- Appellant

versus

State of Chhattisgarh through Police Station Dhamtari, District Dhamtari, Chhattisgarh

--- Respondent

For Appellant	:	None
For State/Respondent	:	Ms. Shobha Kashyap, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

23.9.2017

1. The Appellant has been convicted under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act and sentenced to undergo rigorous imprisonment for 7 years and to pay fine of Rs.70,000/-, in default of payment of fine, to further undergo simple imprisonment for 1 year.
2. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Raipur and received yesterday would mention that the Appellant has undergone the entire jail sentence imposed upon her including the period of simple imprisonment of 1 year by the Trial Court and already released on 17.3.2015 from the Central Jail.
3. Since no one appears for the Appellant today, therefore, I decide the appeal on merits.
4. I have perused the record to assess the correctness of the impugned judgment of conviction.

5. The Appellant has allegedly committed the offence punishable under Section 20(b)(ii)(B) of the NDPS Act. As per the case of the prosecution, at the time of search, the Appellant was found in conscious possession of 9.500 Kgs. of Ganja. The case of the prosecution is based on the statement of Sub-Inspector Satyakalaramteke (PW9). He has fully supported the prosecution case. Provisions of Sections 42, 50 and 57 of the NDPS Act have also been complied with. Constable Sohan Dhruw (PW10), Assistant Sub-Inspector Chetan Sahu (PW3) and Constable Shekhar Sinha (PW7) have also supported the prosecution case. The case of the prosecution also finds support from the FSL Report (Ex.P32 and P33).
6. Considering the material available on record and other factors, I do not find any merit in this appeal.
7. Consequently, the appeal deserves to be and is hereby dismissed.

Sd/-
(Arvind Singh Chandel)
Judge