

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

CRA-D No.153-DB of 2010(O&M)

Date of Decision:26.10.2017

Paramjit Singh @ Pamma

.....Appellant

Versus

State of Punjab

.....Respondent

**CORAM: Hon'ble Mr.Justice Rajesh Bindal.
Hon'ble Mr.Justice Gurvinder Singh Gill.**

Present: None for the appellant.

Ms.Ruchika Sabharwal, AAG, Punjab.

Rajesh Bindal, J.

Custody certificate of appellant produced by learned counsel for the State today in Court is taken on record.

The appellant has filed the present appeal challenging his conviction in FIR No.113 dated 13.08.2003 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short the “NDPS Act”) registered at Police Station Goraya. The appellant herein has been convicted and sentenced to undergo imprisonment for a period of 12 years and also to pay a fine of ₹One Lac. The recovery in the present case was 75 bags of poppy straw loaded in a truck, weighing 30 kg. each.

The appeal was admitted on 23.03.2010. Subsequent application filed seeking suspension of sentence was declined on 08.12.2011, noticing the fact that the appellant had been sentenced to undergo imprisonment for a period of 10 years and pay a fine of ₹One Lac

on conviction in FIR No.147 dated 14.07.2005 registered at Police Station Phillaur, vide judgment dated 04.02.2010.

When the case was taken-up for hearing, none appeared on behalf of the appellant.

Learned counsel for the State submitted that the appellant was released for four weeks' parole on 02.03.2012 and he was to surrender in jail on 31.03.2012. However, he has not surrendered till today though period of more than 5½ years has passed.

At the first place, we are surprised that a convict, in two cases under NDPS Act, who had been sentenced to undergo imprisonment for a period of 10 years and 12 years in both the cases, was considered fit for grant of parole.

Be that as it may, as the appellant herein has not surrendered after availing parole for more than 5½ years back, we do not deem it appropriate to hear the appeal on merits and the same is hereby dismissed.

The State shall make earnest efforts to arrest the accused-convict.

(Rajesh Bindal)
Judge

October 26, 2017
seema

(Gurvinder Singh Gill)
Judge

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No