

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRA-S-1416-SB of 2017 (O&M)

Date of Decision: 25.04.2017

Jagtar Singh

...Appellant

VERSUS

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Manpreet Kaur Shergill, Advocate
for the appellant.

Mr. Ashish Sanghi, DAG, Punjab.

SURINDER GUPTA, J.

This is appeal by Jagtar Singh son of Kesar Singh against judgment dated 01.04.2017 passed by Judge, Special Court, Patiala whereby he was convicted for punishable under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and sentenced to undergo rigorous imprisonment for 2 months and to pay fine of ₹10,000/-.

Learned counsel for the appellant has submitted that out of total substantive sentence awarded to the appellant, he has already undergone 1 month and 23 days of imprisonment by now, as such, has requested for taking a lenient view regarding the quantum of sentence keeping in view the fact that appellant is a young boy of the age of 30 years and is not a previous convict. She has not challenged the conviction of appellant on merits.

Custody certificate produced on record shows that the appellant has already undergone 1 month and 23 days of imprisonment by now and is not a previous convict.

Keeping in view submissions of learned counsel for the appellant, conviction of the appellant for offence punishable under Section 18 NDPS Act, is maintained. However, sentence awarded to the appellant is reduced from rigorous imprisonment for two months to the period of imprisonment already undergone by him. However, the sentence of fine is maintained.

With the above modification, the instant appeal is disposed of.

Copy of this order be sent to Superintendent, Central Jail, Patiala for information and necessary action.

April 25, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***