

In the High Court of Punjab and Haryana at Chandigarh

CRA No.S-1485-SB of 2017 (O&M)

Date of Decision:-December 8, 2017

Lakhwinder Singh @ Lucky

.....Petitioner

Versus

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice Gurminder Singh Gill

Present : Ms. Simsi Dhir Malhotra, Advocate,
for the petitioner.

Ms. Ambika Sood, DAG, Punjab

Gurminder Singh Gill J. (Oral)

1. Appellant Lakhwinder Singh has challenged judgment dated 23.3.2017 vide which he has been convicted for offence punishable under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 for possessing 9 kg. of poppy husk and has been sentenced to undergo rigorous imprisonment for six months and to pay fine amounting to ₹ 2000/-.
2. The learned counsel for the appellant has submitted that she does not challenge the conviction but prays for reduction in substantive sentence of imprisonment.
3. As per the custody certificate filed today, the appellant has undergone a period of 3 months and 11 days out of the sentence of six months as imposed by the Trial Court. He is not stated to be previous convict.
4. In view of the aforesaid position, especially the fact that appellant is not a

previous convict and also that appellant has undergone more than half of the sentence imposed upon him, a case is made out for reduction in sentence. While upholding the conviction of the appellant, the sentence imposed upon the appellant is reduced from six months to the one already undergone. The fine shall, however, remain the same.

5. The appeal stands dismissed with the aforesaid modification in sentence.

December 8, 2017

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(Gurvinder Singh Gill)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No