

232 CRM-26314-2017 in CRA-S-2995-SB-2017

RAHUL V/S STATE OF PUNJAB

Present: Mr. Naveen Bawa, Advocate for the applicant/appellant.

Ms. Monika Jalota, DAG, Punjab.

The applicant/appellant is seeking suspension of his sentence, who has been convicted by the order dated 02.08.2017, under Section 20 of the Narcotic Drugs and Psychotropic Substances Act and sentenced to undergo rigorous imprisonment for one year and to pay a fine of Rs.5,000/- and in default of payment of fine, further to undergo rigorous imprisonment for two months.

Learned counsel for the applicant/appellant states that the applicant/appellant has undergone actual sentence of more than two months out of total sentence of one year. He further states that fine of Rs.5,000/- has already been deposited by the applicant/appellant.

Learned State counsel has filed custody certificate, which states that the applicant/appellant has already undergone actual sentence of 1 month and 28 days as on 30.08.2017 out of total sentence of 1 year and conclusion of the appeal is likely to take some time.

As the petitioner has already put in nearly two months in custody and it will take some time for his appeal to be heard and decided, I deem it appropriate to suspend the sentence of the applicant/appellant.

The application is allowed. The sentence of the applicant/appellant-Rahul shall remain suspended during the pendency of the appeal. He shall be released on bail subject to his furnishing bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

(ANUPINDER SINGH GREWAL)
JUDGE

August 30, 2017

SwarnjitS