

**Jasmail Singh @ Kala
V/S
State of Punjab**

Present: Mr. Narinder S. Lucky, Advocate
for the applicant-appellant.

Mr. Sandeep Virmani, Additional Advocate General, Punjab.

The applicant-appellant is seeking suspension of his sentence. He has been convicted in FIR No.73 dated 28.08.2013 under Section 15 of NDPS Act, registered at Police Station Dhanaula, vide judgment dated 14.09.2017 passed by Judge, Special Court, Barnala and sentenced to undergo rigorous imprisonment for a period of one year and to pay fine of ₹10,000/- and in default thereof, to further undergo simple imprisonment for a period of 02 months under Section 15(b) of the NDPS Act.

Learned counsel for the applicant-appellant contends that the applicant-appellant has already undergone actual sentence of about 03 months out of the total sentence of 01 year.

Learned State counsel has filed custody certificate of the applicant-appellant, which indicates that the applicant-appellant has undergone actual sentence of over 02 months and 21 days as on 11.10.2017 out of the total sentence of 01 year.

Heard.

In view of the submissions of the learned counsel for the applicant-appellant and the hearing of the appeal likely to take some time, I deem it appropriate to suspend the sentence of the applicant-appellant during the pendency of the appeal. The criminal miscellaneous application is allowed and the sentence of the applicant-appellant 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, Barnala.

**(ANUPINDER SINGH GREWAL)
JUDGE**

October 12, 2017

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