

SURESH KUMAR
2017.07.03 16:06
I attest to the accuracy and
integrity of this document

The perusal of the Section 27 (b) (ii) of the Act shows that as on the date of commission of offence i.e. 24.07.2007, minimum sentence of the said offence is one year which could be extended to three years. The allegations against the petitioner were for keeping drugs without licence or registered medical certificate. There is no previous conviction against the petitioner.

For adequate reasons, this Court can pass the sentence for less than one year. I am of the view that the petitioner is sufficiently punished as per the provisions of the said sections 27 (b) (ii) of the Act. Keeping in view the fact that the petitioner is convicted for the first time and sufficient period of sentence has already been undergone, the sentence of the petitioner is ordered to be reduced to the period already undergone by him. The petitioner be released forthwith, if not required in any other case after payment of cost as well as the fine, if not paid so far.

With this modification in the quantum of sentence, as indicated herein above, the revision petition stands dismissed.

July 3, 2017

Suresh Kumar

(KULDIP SINGH)
JUDGE

Whether speaking / reasoned : ✓

Yes / No

Whether Reportable :

Yes / No