

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No 691 of 2004

- Tora @ Laxmi, W/o Shri Lakhna @ Laxman Udiya, Caste Udiya, aged about 40 years, Occupation Tooth Brush (wooden stick) seller R/o Village – Luthari Thana – Palasa, District Sirkapulam, (Andhra Pradesh)

---- Appellant

Versus

- State Of Chhattisgarh Through Police Station Chhawani, District : Durg, Chhattisgarh

---- Respondent

For Appellant	: Shri Utkal Pradhan, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

30/06/2018

1. The Appellant has been convicted under Section 20 (b) (ii) (B) of the NDPS Act and sentenced to undergo rigorous imprisonment for 2 years and to pay fine of Rs. 5,000/-, with default stipulation.
2. A report dated 24-02-2015 sent by the Jail Superintendent, Central Jail, Raipur, which is annexed with the record, shows that the Appellant has undergone her entire jail sentence imposed upon her by the Trial Court and she was already been released on 14-08-2006 from the Jail.
3. I have heard both the counsel appearing for the parties and

perused the record minutely.

4. As per the prosecution story, 4 Kgs of Ganja have been seized from ill-legal possession of the Appellant. Case of the prosecution is based on the statement of Investigating Officer M.K. Dhruw (PW-6), who has supported the case of the prosecution. He remained firm during his cross-examination. His statement is duly corroborated by the other witnesses Horilal (PW-1), Ashok Yadav (PW-2), Manharanlal Yadav (PW-3), Smt. Meena Bai (PW-4) and Brijesh Kesharwani (PW-5). Mandatory provisions of the NDPS Act have also been complied with.
5. Considering the material available on record, I do not find any merit in this appeal.
6. Consequently, the appeal deserves to be and is hereby dismissed.

Sd/-

(Arvind Singh Chandel)

Judge