

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRA-S-1132-SB-2005

Date of Decision: 10.05.2018

Amrik Singh

... Appellant

V/S

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the appellant.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral):

Challenge in this appeal is to the judgment of conviction dated 20.05.2005 passed by Special Judge, Ferozepur, holding appellant-Amrik Singh guilty for an offence punishable under Section 15 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act') and vide order of sentence of even date, he was directed to undergo sentence for a period of four years and to pay a fine of Rs. 10,000/-. In default of payment of fine, to further undergo rigorous imprisonment for a period of 06 months.

Vide order dated 11.07.2005, while admitting the appeal, the recovery of fine was stayed. Thereafter, the appellant was granted suspension of sentence vide order dated 03.11.2006, however, the appellant continued to serve the sentence and finally on completion of his sentence of four years, he was released on 04.02.2009.

On 21.03.2018, there was no representation on behalf of the appellant. Today also, no one has appeared on behalf of the appellant.

Learned State counsel, on the basis of custody certificate dated 09.05.2018, has not disputed the fact that the appellant has completed his

four years' sentence and was released on 04.02.2009. However, since the recovery of fine was stayed by this Court, the sentence awarded by the trial Court in default of payment of fine, to further undergo RI for 06 months is still pending.

Considering the fact that the appellant has already undergone the entire sentence and it is observed in the order of sentence dated 20.05.2005 that while awarding the sentence to the appellant, the convict had made a request for taking a lenient view on the ground that he is having six unmarried daughters to look after, the fine imposed by the trial Court is reduced to Rs.1,000/- and in default of payment, the appellant will have to undergo further RI for a period of 10 days.

With the abovesaid modification, this appeal is disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

10.05.2018
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Whether speaking/reasoned : Yes/No.
Whether Reportable : Yes/No