

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRA-S-1699-SB of 2018 (O&M)

Date of Decision: 17.09.2018

Jaspal @ Doggar

...Appellant

VERSUS

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.S. Behl, Advocate
for the appellant.

Mr. Amrik Narwal, DAG, Haryana.

SURINDER GUPTA, J. (Oral)

Learned counsel for the appellant has confined his submission only for taking a lenient view regarding the quantum of sentence awarded to appellant.

As per case of prosecution, recovery of 8 gms. of 'Smack' was effected from possession of appellant-Jaspal @ Doggar for which he was convicted and sentenced to undergo rigorous imprisonment for one year and to pay a fine of ₹5000/- for offence punishable under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985.

As learned counsel for the appellant has not challenged the conviction of appellant on merit, the same is upheld. However, keeping in view the quantity of contraband recovered from the appellant and that as per custody certificate produced on file, he is not a previous convict and has already undergone actual sentence of 9 months and 05 days out of the total sentence awarded to him, request of learned counsel for the appellant is accepted. The sentence awarded to the appellant is reduced from one year

rigorous imprisonment to the period of sentence already undergone by him.

However, sentence of fine is maintained.

The appeal stands partly allowed in above terms.

Intimation regarding reduction of sentence of appellant be sent to Superintendent, Central Jail, Ambala immediately.

September 17, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No