

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRA-S-215-SB-2018(O&M)

Date of decision : 16.03.2018

Gurjant Singh @ Janta

... Petitioner

Versus

State of Punjab

... Respondent

***CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH***

Present: Mr.Parminder Singh Sekhon, Advocate  
for the petitioner.

Mr.J.S.Walia, Sr.DAG, Punjab.

**AMOL RATTAN SINGH, J.(ORAL)**

Learned counsel for the appellant submits that the appellant has been convicted for the commission of an offence punishable under Section 15 of the NDPS Act, after 10 kgs. of poppy husk were found to have been recovered from him as per the FIR registered against him. He has consequently been sentenced to one years' rigorous imprisonment and also imposed a fine of Rs.5000/-, in default of which he is to undergo 2 months more imprisonment.

He submits that the appellant being 60 years old does not wish to contest the appeal on merits and therefore restricts his argument to the quantum of sentence alone.

As per the custody certificate filed in Court today, out of the one year sentence imposed upon the appellant, he has undergone 3 months and 4 days of actual custody as on 11.03.2018, with no other criminal case seen to be registered against him.

That being so, the appeal is allowed to the extent that the quantum of sentence of imprisonment imposed upon the appellant, is reduced to the extent of imprisonment already undergone by him, provided he pays the fine of Rs.5000/- imposed by the learned trial Court. Thus, upon payment of the fine of Rs.5000/-, the appellant be released from custody forthwith.

(AMOL RATTAN SINGH)  
JUDGE

March 16, 2018.  
*Davinder Kumar/dinesh*

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|-----------------------------|--------|
| Whether speaking / reasoned | Yes/No |
| Whether reportable          | Yes/No |