

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

**CRA-S-2955-SB-2018 (O&M)**

**Date of Decision: September 17, 2018**

Avtar Singh @ Bittu and another

**.....APPELLANTS**

**VERSUS**

State of Punjab

**....RESPONDENT.**

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. A.S.Sidhu, Advocate  
for the appellants.

Mr. Sandeep Kumar, DAG, Punjab.

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**SURINDER GUPTA, J.**

Custody certificate filed by learned State counsel today in the Court is taken on record.

Heard.

As per case of the prosecution, the police party headed by ASI Jagdev Singh apprehended the appellants, who were going on motorcycle and a bag containing 10 Kg. of poppy husk was recovered from their possession. The petitioners were convicted and sentenced to under go rigorous imprisonment for 6 months and to pay a fine of ₹2,000/- each.

Learned counsel for the appellants has not challenged conviction of appellants on merits but has requested for taking a lenient view regarding the quantum of sentence. He submits that appellant No. 1-

Singh @ Sonu was 35 years of age at the time of their apprehension and both are not previous convicts.

Custody certificate produced on file shows that the appellants have undergone 3 months 3 days of the sentence. Learned counsel for the appellants has not challenged the conviction of appellants on merits and as such, the same is maintained. .

Keeping in view the quantum of recovery and that the appellants are not previous convicts. The sentence awarded to them is reduced from 6 months to 4 months. However, sentence of fine is maintained.

The appeal stands partly allowed in above terms.

Intimation regarding reduction of sentence of appellants be sent to Superintendent of Jail, Bathinda immediately.

September 17, 2018  
*Jyoti-II*

( SURINDER GUPTA )  
JUDGE

***Whether speaking/reasoned:*** ***Yes/No***

***Whether Reportable:*** ***Yes/No***