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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 973/2002**

MOHD. SITARE

..... Appellant

Through: Mr. Krishan Kumar, Ms. Sunita
Arora, Mr. SP Nangia & Mr. RCS
Bhadoria, Advocates (M-
9810068578).

versus

STATE

..... Respondent

Through: Mr. Rajni Gupta, APP.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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26.07.2018

1. This is an appeal preferred by Mohd. Sitare challenging the impugned judgement dated 20th August, 2002 in Sessions Case No. 52/2001. The Appellant was convicted under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, in FIR No. 258/2001 and was awarded a sentence of three years as he was found to be in possession of 8 kg of ganja. As per the nominal role, the Appellant has already undergone 2 years, 9 months and 27 days as against the sentence of 3 years which was imposed by the Trial Court.

2. On 13th February, 2003 this Court had suspended the sentence of the Appellant. He has already undergone almost the entire period of sentence which was awarded to him of 3 years and his conduct in jail has been deemed to be satisfactory and he does not have any pending criminal

litigation against him. Considering that the conviction was in the year 2002 and more than 16 years have been passed, the sentence undergone is deemed to be satisfied.

3. The conviction is upheld and the sentence is modified to the period already undergone. The appeal is disposed of.

PRATHIBA M. SINGH, J.

JULY 26, 2018

Rahul