

**CRM-13406-2019 in/and
CRA-S-209-2019**

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

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**CRM-13406-2019 in/and
CRA-S-209-2019
Date of decision : 10.5.2019**

Gurdev Singh @ Gabbar

..... Appellant

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

AJAY TEWARI, J. (Oral)

Today the application bearing **CRM-13406-2019** has been listed for grant of suspension of sentence of the applicant-appellant. At the oral request of the counsel for the applicant-appellant, the main appeal is also taken up for hearing today itself. Consequently, the said application stands disposed of.

The present appeal has been filed against the judgment of the court below convicting the appellant under Sections 22 of NDPS Act, 1985 and sentencing him to undergo rigorous imprisonment of 2 years alongwith compensation amount of Rs.20,000/- and in default thereof, to further undergo rigorous imprisonment for a period of 2 months.

Custody certificate dated 9.5.2019 by way of affidavit of

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Kulwant Singh Sidhu, PPS, Deputy Superintendent Central Jail, Kapurthala has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. As per the custody certificate the applicant has been in custody for 1 year 7 months and 11 days out of total 2 years.

Having heard both the counsel, I do not find any reason to upset the conviction of the petitioner. Consequently, though the appeal against the conviction is dismissed but as regards the sentence, after considering the fact that the appellant has undergone 1 year 7 months and 11 days out of total 2 years, I deem it appropriate to reduce it to that which he has already undergone. Ordered accordingly.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

**(AJAY TEWARI)
JUDGE**

10.5.2019
anuradha

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No