

CRA-S-3189-SB of 2016 (O&M)

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

CRA-S-3189-SB of 2016 (O&M)
Date of Decision: 01.04.2019

Shiv Raj Singh @ Shiv

....Appellant

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Raj Kumar Gupta, Advocate, for the appellant.
Mr. Amandeep S. Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

On oral request of both the sides, instant appeal, which is on regular board, is taken up for final disposal today itself.

Through this appeal, appellant has laid challenge to judgment of conviction and order of sentence dated 26.07.2016 of the trial Court, whereby he has been held guilty under Section 22 of the Narcotic Drugs and Psychotropic Substances Act and sentenced to undergo rigorous imprisonment for a period of ten years and pay fine of ₹1,00,000/-; in default of payment of fine to further undergo rigorous imprisonment for six months.

Heard.

Considering the affidavit of Dr. Seema Sharda, Director Forensic Science Laboratory, Punjab, filed in CRM-7630 of 2017 in this appeal that total recovered drug from the appellant was 67 mg and not 674 mg, impugned judgment of conviction and order of sentence dated 26.07.2016

of the Judge, Special Court, Ludhiana, are set aside. Case is remanded to

CRA-S-3189-SB of 2016 (O&M)

the trial Court for fresh decision in accordance with law. Parties are directed to appear before the trial Court to face trial.

In the meantime, sentence of the appellant shall remain suspended on his furnishing bail and surety bonds to the satisfaction of trial Court.

Disposed of.

April 01, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No