

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRA-S-12619-2018 (O&M)
Date of Decision:-25.2.2020

Sunil Kumar @ Kala

... Appellant

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the appellant.

Mr. Randhir Singh Thind, Deputy Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. The learned State counsel has informed that although the appellant has already undergone the sentence as imposed in the present case, but he is undergoing sentence imposed in another case under NDPS Act, wherein he has been sentenced to undergo rigorous imprisonment for 10 years.
2. In view of the aforestated position, no order as regards suspension of sentence of imprisonment is required to be passed. In any case, even the appeal has not been admitted so far.
3. There is a delay of 1181 days in filing of the present appeal.
4. The grounds set forth in the application bearing No.CRM-45979 of 2018 for condonation of delay are that the appellant could not file appeal since he was confined in jail in another case arising out of FIR No.134 dated 14.5.2013 registered at Police Station Mandi Gobindgarh under Section 22 of Narcotic

Drugs and Psychotropic Substances Act, 1985 and remained under the impression that he had already undergone one year of his sentence.

5. Having perused the application for condonation of delay, this Court does not find any justifiable ground to condone the delay of 1181 days. The application bearing No.CRM-45979 of 2018 for condonation of delay is sans merit and is dismissed.
6. Consequently, the appeal is also dismissed being time barred.

25.2.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No