

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

264

CRA-S-844-SB-2018(O&M)
Date of decision: 18.04.2023

Gurpreet Singh @ Kala and another

....Appellants

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Harneet Singh Oberoi, Advocate
for the appellants.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA J.

1. Present appeal has been preferred against the judgment of conviction and order of sentence dated 18.12.2017 passed by the Judge, Special Court, Sangrur, whereby appellants have been convicted under Section 21 of NDPS Act and were sentenced to undergo rigorous imprisonment for 1 year along with fine of Rs. 15,000/- and in default of payment of fine to further undergo rigorous imprisonment for three months.

2. Briefly stated, facts of the present FIR are that on 12.04.2017, when police party was checking the vehicles, at about 6.50 PM a white Verna car bearing registration no.PB-13AA-0830 was seen coming from Sunam side. On seeing the police party, the driver of the car tried to turn back the car, but the car stopped functioning in between of the road and on suspicion, the car was stopped and all three persons present in the car were

apprehended. The co-accused-Sahibjit Singh, who was driving the car and Gurpreet Singh @ Kala and Ravi Sharma @ Kali (appellants No.1 and 2 herein) were arrested. On suspicion, search was conducted, and 50 grams each of smack was recovered from all the three accused persons.

3. Finding a prima facie case against the accused, charge under Sections 21 of NDPS Act was framed against the accused persons, to which they pleaded not guilty and claimed trial.

4. In order to prove its case, prosecution examined as many as 06 witnesses. Thereafter, statements of the accused persons under Section 313 Cr.P.C. were recorded and all the incriminating evidence appearing against them was put to them, to which they pleaded not guilty and pleaded innocence.

5. On the basis of evidence led, learned trial Court held the accused guilty and convicted them under Section 21 of NDPS Act and sentenced them accordingly as stated above.

6. Hence, the present appeal.

7. Learned counsel for the appellants submits that vide order dated 17.04.2023 passed in CRA-S-645-SB-2018, the appeal filed by the co-convict/accused namely, Sahibjit Singh @ Bahu has been disposed of and sentence of the said co-convict/accused was ordered to be reduced to the period already undergone.

8. Learned counsel further submits that both the appellants have completed their sentence. Appellant No.1 namely Gurpreet Singh @ Kala completed his sentence on 21.07.2018 and appellant No.2 namely, Ravi

Sharma @ Kali completed his sentence on 14.07.2018. As such, he does not want to press the present appeal.

- 9. In view of the above, the present appeal is disposed of being not pressed.
- 10. Pending application(s), if any, stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

April 18, 2023
sapna

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No