

236 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:083631  
CRR-735-2019 (O&M)  
Date of Decision: July 04, 2023

Kamaljeet Singh

...Petitioner

Versus

State of U.T., Chandigarh

...Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

**Present:-** Ms. Chitra Darmwal, Advocate for  
Mr. Aman Bansal, Advocate for the petitioner.

Mr. Anil Lamdharia, APP for U.T., Chandigarh.

**DEEPAK GUPTA, J.(Oral)**

Custody certificate has been placed on record by learned  
State counsel.

The petitioner was convicted under Section 22 of the  
Narcotic Drugs and Psychotropic Substances Act, 1985, vide judgment  
dated 30.08.2017 in a case arising out of FIR No.392 dated 28.07.2015,  
registered at Police Station Mani Majra, Chandigarh, for keeping in  
possession 5 grams of smack. He was sentenced to undergo rigorous  
imprisonment for a period of 3 months and to pay a fine of ₹3,000/- with  
default sentence of simple imprisonment of one month. The appeal filed  
by the petitioner against conviction was dismissed by learned Addl.  
Sessions Judge, Chandigarh, vide judgment dated 15.02.2019, against  
which this revision has been filed. Fine was paid as per receipt  
available on record.

Custody certificate placed on record reveals that the  
petitioner has already undergone the custody period of 26 days out of  
total period of 3 months.

Before this Court, it is submitted by learned counsel for the

petitioner that petitioner withdraws the revision against conviction and confines his prayer qua impugned order of sentence. Further prayer is made for sentencing the petitioner to the period already undergone by him.

In view of the aforesaid statement, petition against the conviction is hereby dismissed as withdrawn by maintaining the impugned judgment of conviction recorded by the Trial Court and upheld by the Appellate Court. As far as quantum of sentence is concerned, the petitioner has already undergone sentence of 26 days. The occurrence took place way back in July, 2015 i.e. about 8 years back.

Having regard to the quantity of the contraband and the fact that petitioner has no criminal antecedent, the impugned order of sentence is modified. The petitioner is sentenced to imprisonment for the period already undergone by him.

Disposed of.

**July 04, 2023**  
sarita

**(DEEPAK GUPTA)**  
**JUDGE**

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