



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

CRA-S-2439-SB-2012 (O&M)

Date of Decision: 10.05.2024

Gurdhir Singh @ Dhira Singh

..... Appellant

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. K.S.Godara, Advocate for the applicant/appellant.

Ms. Avneet, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present appeal has been filed against the impugned judgment of conviction and order of sentence dated 03.08.2012, passed by learned Special Judge, Bathinda, whereby appellant was convicted under Section 18(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 to undergo rigorous imprisonment for a period of six years along with fine of ₹ 50,000/- with a default clause to further undergo rigorous imprisonment for two years.



(2) It transpires that appeal was admitted and recovery of fine had been stayed during the pendency of present appeal on 24.08.2012. Also transpires that sentence of the appellant was suspended vide order dated 10.01.2013.

(3) Learned Counsel for the applicant/appellant submits that sole applicant/appellant is no more as he died on 25.04.2013 and photocopy of his Death Certificate is taken on record as Mark ‘X’. Registry will do the needful.

(4) Learned Counsel for the appellant submits that on account of the poverty, no one has come forward to prosecute the appeal. Further submits that prosecution was launched wayback on 10.12.2006 and sole appellant is no more; therefore, he prays that fine be reduced to the nominal.

(5) In view of the above, present appeal is disposed off as having been abated. The impugned judgment of conviction dated 03.08.2012 is upheld; however, order of sentence dated 03.08.2012 is modified to the extent that fine of Rs.50,000/-, imposed upon the applicant/appellant, shall be reduced to Rs.1,000/- only.

(6) Pending application(s), if any, shall also stand disposed off.

10th May, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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