

222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-2884-2024 (O&M)
DECIDED ON: 27.09.2024

RANJIT SINGH

....APPELLANT

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Yajur Sharma, Advocate
for the appellant.

Mr. Malkiat Singh, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

CRM-34027-2024

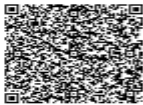
Prayer in the present application is for suspension of sentence of the applicant/appellant during the pendency of present appeal.

Learned counsel for the applicant/appellant submits that he does not wish to press the instant application. However, he prays for listing the instant appeal for final hearing.

In view of above, the present application is dismissed being not pressed. Registry is directed to list the main appeal for final hearing today itself.

CRA-S-2884-2024 (O&M)

1. With the consent of parties, the main appeal is taken on board for final hearing.
2. The petitioner has challenged the judgment of conviction and order



of sentence dated 18.07.2024, passed by the learned Judge, Special Court, Amritsar whereby he was convicted and sentenced as under:

Offence	Sentence	In default of fine
Section 22 (b) of NDPS Act, 1985	To undergo RI for a period of one year along-with fine to the tune of Rs.10,000/-.	To further undergo RI for a period of three months.

3. Here it would be pertinent to mention that the appellant does not challenge his conviction on merits and only confined his relief qua quantum of sentence. This Court has also scrutinized the impugned judgment as well as the relevant documents/evidence and is of the considered view that there is no scope for any interference in impugned judgment as far as the conviction of the appellant is concerned. As such, the conviction of the appellant is upheld.

4. Learned State counsel has submitted that the appellant does not deserve any leniency being habitual offender, as is evident from the custody certificate filed today in Court wherein, he has been shown to be involved in three other cases of similar nature. Out of those three cases in two he is on bail.

5. As far as quantum of sentence is concerned, there are mitigating circumstances to take a lenient view in the matter of sentence awarded by the trial court. Apart from the fact that the appellant has already faced the agony of protracted trial for sufficient time, he is sole bread earner of his family. The appellant has already undergone the actual sentence for a period of 3 months and 15 days as of now, out of total substantive sentence of one year. Thus, this court is of the considered view that a chance be given to the appellant to reform & improve himself; to become a good citizen; and to lead a peaceful & harmonious life.

6. As far as the pendency of other cases and involvement of the



appellant in other cases is concerned, no doubt the criminal antecedents of the accused are to be looked into but at the same time it is equally true that the appreciation of evidence during the course of trial has to be looked into with reference to the evidence in that case alone and not with respect to the evidence in the other pending cases.

7. Taking into consideration the above narrated discussion as well as the fact that the appellant has not challenged his conviction on merits, while affirming his conviction, the order of sentence is modified to the extent to the period already undergone by him with no change in fine clause.

8. With the aforesaid modification in the quantum of sentence, the present appeal stands disposed off.

9. The appellant is ordered to be released forthwith in case he is not required in any other case subject to his deposit of fine, as imposed by the trial Court vide its judgment of conviction and order of sentence dated 18.07.2024.

10. Pending criminal misc. application, if any shall also disposed off.

27.09.2024

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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No