



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

**CRA-S-321-2020  
DECIDED ON: 11.07.2025**

**MAKHAN SINGH**

**.....APPELLANT**

**VERSUS**

**INTELLIGENCE OFFICER**

**.....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Pawandeep Singh, Advocate and  
Mr. Anand Vardhan Khanna, Advocate,  
Mr. Rajpreet Singh Brar, Advocate  
for the appellant.

Mr. Sunish Bindlish, Advocate with  
Mr. Vinay Kumar, Advocate for respondent.

**SANDEEP MOUDGIL, J (ORAL)**

The instant appeal has been preferred by accused Makhan Singh challenging judgment of conviction dated 24.09.2019 and order of even date passed by Judge, Special Court, Ludhiana whereby the appellant-Makhan Singh has been sentenced to undergo RI for a period of 10 years along-with fine to the tune of Rs.1,00,000/- and in default thereof, to further undergo RI for a period of one year for commission of offence under Section 22 of NDPS, for having conscious possession of 5.945 kgs grams of 'heroin' without any permit or licence.

At the very outset, learned counsel for the appellant contends that he does not want to challenge the conviction of the appellant on merits. However, he

submits that in view of the circumstances of the case, the sentence awarded by the trial Court is on higher side.

Here it would be pertinent to mention that the appellant did 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.

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. The appellant has undergone the actual sentence of 8 years, 11 months and 17 days out of total substantive sentence of 10 years, as of now, as per the custody certificate of the appellant filed by learned State counsel in Court today. Apart from that there is no body in his family to look after his family members, who are fully dependent upon him and he is only bread earner in his family. 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.

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. Further, the amount of fine is reduced from Rs. 1,00,000/- to Rs. 50,000/-.

With the aforesaid modification in the quantum of sentence, the present appeal stands dismissed.

The appellant is ordered to be released forthwith in case he is not required in any other case.

Pending application(s), if any shall disposed off, accordingly.

11.07.2025

*Meenu*

(SANDEEP MOUDGIL)  
JUDGE

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