

2025:PHHC:157441



*CRA-S-3022-2012 (O & M)*

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

**CRA-S-3022-SB-2012 (O & M)**

**Date of Decision:- 13.11.2025**

Jaswant Singh alias Jassa and anr.

.....Appellants

VERSUS

State of Punjab

.....Respondent

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Ankit Bhardwaj, Advocate  
for the appellants.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

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**JASJIT SINGH BEDI, J.**

The present appeal has been filed impugning the judgment dated 04.10.2012 passed by the Judge, Special Court, Sri Muktsar Sahib whereby the appellants came to be convicted and sentenced vide a judgment of conviction and order of sentence dated 04.10.2012 for committing the offence under Section 15 of the NDPS Act and sentenced to undergone rigorous imprisonment of 01 year and 06 months each and to pay a fine of Rs.5,000/- each, in default of payment of fine, to further undergo rigorous imprisonment for 02 months each.

3. The brief facts of the case are that on 02.10.2007 while the police party was on patrolling duty at Danewala Chowk, Malout, received secret information that a truck bearing RC No.RJ 31 G/4262 being driven by Jaswant Singh alongwith one Chamkaur Singh was present opposite DCM Factory on

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GT road. The police party reached at the spot and found two persons sitting in the said truck. On enquiry, the person sitting on the driver seat disclosed his name as Jaswant Singh (appellant No.1), the other person (cleaner) disclosed his name as Chamkaur Singh (appellant No.2) and a recovery of 14 kgs. of poppy husk came to be effected from the truck.

4. On conclusion of the Trial, the appellants came to be sentenced and convicted vide judgment dated 04.10.2012 by the Court of Judge, Special Court, Sri Muktsar as above.

3. The learned counsel for the appellants, at the very outset, submits that the appellants do not wish to challenge their conviction but pray that the sentence imposed upon them be reduced to the period already undergone by them which is 04 months and 20 days each out of their substantive sentence of 01 year and 06 months each.

4. The learned counsel for the State, on the other hand, has placed on record separate custody certificates dated 12.11.2025 of the appellants as per which they have undergone actual sentence of 04 months and 20 days each. He contends that the nature of the allegations against the appellants do not entitle them to any sympathy by way of reduction of their sentence. He, therefore, prays that the present appeal is liable to be dismissed and the sentence imposed upon them be upheld.

5. I have heard the learned counsel for the parties.

6. A perusal of the impugned judgment would reveal that it has been passed on proper appreciation of the evidence on record. Therefore,



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finding no fault in the same, the present appeal stands dismissed.

7. As regards the imposition of sentence, it may be noted that the appeal is of the year 2012. The appellants have already undergone actual sentence of 04 months and 20 days each. The total sentence imposed on the appellants is 01 year and 06 months rigorous imprisonment each. They are first-time offenders. Therefore, while upholding their conviction, the sentence of the appellants is modified as under:-

| Offence U/Ss       | Sentence RI/SI            | Fine             | RI/SI in default of payment of fine |
|--------------------|---------------------------|------------------|-------------------------------------|
| 15 of the NDPS Act | RI 04 months 20 days each | Rs.10,000/- each | RI 02 months each                   |

8. The present appeal stands disposed of in the above terms.

9. The miscellaneous application(s), if any, stand disposed of accordingly.

( JASJIT SINGH BEDI )  
JUDGE

13.11.2025  
sukhpreet

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