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

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CRR-444-2025 (O&M)
Date of decision: 07.03.2025

Gulzar Singh**...Petitioner**

Versus

State of Haryana**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Anil Kumar, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The present revision petition has been filed against the judgment of conviction dated 06.06.2018 and order on quantum of sentence dated 07.06.2018, passed by the Court of learned Judicial Magistrate First Class, Pehowa in criminal case arising out of the FIR No. 18 dated 30.01.2014, registered under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Ismailabad, whereby the petitioner was held guilty for commission of offence punishable under the aforesaid section and was sentenced to undergo rigorous imprisonment for 06 months with default clause of fine; as well as against the judgment dated 10.02.2025, whereby the appeal of the petitioner had been dismissed by the Court of learned Additional Sessions Judge, Kurukshetra.

2. Today, learned counsel for the petitioner has made a statement so as not to press the present revision against the judgment of conviction,

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passed by the learned trial Court, as well as the judgment passed by the appellate Court. Learned counsel confines his prayer against the order of sentence only. It is further submitted that petitioner is not the previous convict nor any other case is pending against him and so looking into these circumstances, the sentence of the petitioner may be reduced to the period already undergone by him.

3. Learned State Counsel has no serious objection to the aforesaid prayer. He has filed custody certificate, as per which, the petitioner has already undergone actual sentence of 01 month and 01 day out of total sentence of 06 months as awarded by the learned trial Court and upheld by the learned appellate Court and he is not involved in any other case.

4. After hearing the counsel for the parties, I uphold the judgments of conviction passed by the Courts below as the same are based on appreciation of prosecution evidence, proving guilt of the petitioner, however, considering the fact that the petitioner has faced the agony of protracted trial and he has already undergone actual sentence of 01 month and 01 day and is not involved in any other case, which shows that he has improved his character and has joined the mainstream of the society, the order on quantum of sentence dated 07.06.2018 is modified to the extent that the same is reduced to the period already undergone by him. However, the fine imposed upon the petitioner is upheld.

5. The petitioner is directed to be released from custody forthwith on depositing fine as imposed by the learned trial Court. His personal/surety bonds be discharged accordingly.

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- 6. Let a copy of this order be sent forthwith to Jail Superintendent as well as the Court concerned for compliance.
- 7. Since the main petition stands disposed of, pending application, if any, shall also be treated as disposed of.

07.03.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No