

2025:PHHC:153655



CRM-39165-2024 in CRA-S-3245-2024 (O & M)

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

**CRM-39165-2024 in
CRA-S-3245-2024 (O & M)
Date of Decision:- 07.11.2025**

Gurmukh Singh

.....Applicant-Appellant

VERSUS

State of Punjab

.....Respondent

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

Present:- Mr.Hardeep Singh, Advocate
for the applicant-appellant.

Ms. Nav Reet K. Barnala, AAG, Punjab.

JASJIT SINGH BEDI, J.

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The learned counsel for the applicant-appellant submits that he does not wish to press this application at this stage. He, however, prays that the main appeal be heard as he does not wish to challenge his conviction.

In view of the above, this application (CRM-39165-2024) is dismissed as not pressed at this stage and the main appeal is taken up on Board for hearing today itself.

CRA-S-3245-2024

The present appeal has been filed impugning the judgment dated 14.12.2023 passed by the Judge, Special Court, Patiala whereby the appellant

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came to be convicted and sentenced vide a judgment of conviction and order of sentence dated 14.12.2023 for committing the offence under Section 22 of the NDPS Act and sentenced to undergone rigorous imprisonment of 03 years and to pay a fine of Rs.20,000/-, in default of payment of fine, to further undergo rigorous imprisonment for 03 months.

3. The brief facts of the case are that on 13.03.2019, the appellant-Gurmukh Singh was apprehended and a recovery of 35 strips of intoxicant capsules containing 10 capsules each having Batch No.JPC-114 MFG Jan-2019 Exp. Dec. 2021 containing the salt 'Tramadol Hydrochloride' come to be effected from him.

4. On conclusion of the Trial, the appellant came to be sentenced and convicted vide judgment dated 14.12.2023 by the Court of Judge, Special Court, Patiala as above.

3. The learned counsel for the appellant, at the very outset, submits that the appellant does not wish to challenge his conviction but prays that the sentence imposed upon him be reduced to the period already undergone by him which is 02 years 01 month and 13 days out of the substantive sentence of 03 years.

4. The learned counsel for the State, on the other hand, has placed on record a custody certificate dated 03.11.2025 of the appellant as per which he has undergone actual sentence of 02 years 01 month and 13 days. He contends that the nature of the allegations against the appellant do not entitle him to any sympathy by way of reduction of his sentence. He,



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therefore, prays that the present appeal is liable to be dismissed and the sentence imposed upon him 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, finding no fault in the same, the present appeal stands dismissed.
7. As regards the imposition of sentence, it may be noted that the appellant has already undergone actual sentence of 02 years 01 month and 13 days. The total sentence imposed on the appellant is 03 years rigorous imprisonment. Therefore, while upholding his conviction, the sentence of the appellant is modified as under:-

Offence U/Ss	Sentence RI/SI	Fine	RI/SI in default of payment of fine
22 of the NDPS Act	RI 02 years 01 month 13 days	Rs.40,000/-	RI 03 months

8. The present appeal stands disposed of in the above terms.
9. The miscellaneous application, if any, stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

07.11.2025
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No