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

CRA-S-3021-2025 (O & M)
Date of Decision:- 13.11.2025

Shamsher Singh

.....Applicant-Appellant

VERSUS

State of Punjab

.....Respondent

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

Present:- Mr.A.S. Barnala, Advocate
for the applicant-appellant.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J.

The present appeal has been filed impugning the judgment dated 01.09.2025 passed by the Judge, Special Court, Moga whereby the appellant-Shamsher Singh alongwith co-convict/Gurdeep Singh @ Gora came to be convicted and sentenced vide a judgment of conviction and order of sentence dated 01.09.2025 for committing the offence under Section 22(b) of the NDPS Act and sentenced to undergone rigorous imprisonment of 03 years each and to pay a fine of Rs.10,000/- each, in default of payment of fine, to further undergo imprisonment for 01 month each.

2. The brief facts of the case are that on 10.04.2022 one Gurdeep Singh and the appellant-Shamsher Singh were apprehended. A recovery of 4 strips of ETIOS 0.5 tablets each strip containing 10 tablets, total 40 ETIOS 0.5

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tablets containing the salt of 'Etizolam' from Gurdeep Singh and 2 strips of ETIOS 0.5 tablets each strip containing 10 tablets, total 20 ETIOS 0.5 tablets containing the salt 'Etizolam' from Shamsher Singh (appellant) came to be effected.

3. On conclusion of the Trial, the appellant-Shamsher Singh along-with a co-convict/Gurdeep Singh @ Gora came to be sentenced and convicted vide judgment dated 01.09.2025 by the Court of Judge, Special Court, Moga as above.

4. The co-convict/Gurdeep Singh @ Gora did not challenge his conviction and completed his sentence in this case on 01.09.2025.

5. 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 01 year 10 months and 16 days out of the substantive sentence of 03 years.

6. The learned counsel for the State, on the other hand, has placed on record a custody certificate dated 12.11.2025 of the appellant as per which he has undergone actual sentence of 01 year 10 months and 16 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, therefore, prays that the present appeal is liable to be dismissed and the sentence imposed upon him be upheld.

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



8. 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.

9. As regards the imposition of sentence, it may be noted that the appellant has already undergone actual sentence of 01 year 10 months and 16 days. The total sentence imposed on the appellant-Shamsher Singh is 03 years rigorous imprisonment. He is a first-time offender. Therefore, while upholding his conviction, the sentence of the appellant is modified as under:-

Offence U/Ss	Sentence RI/SI	Fine	Imprisonment in default of payment of fine
22(b) of the NDPS Act	RI 01 years 10 months 16 days	Rs.20,000/-	01 month

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

11. Since the main appeal is disposed of, no order needs to be passed in the pending miscellaneous application(s), if any.

(JASJIT SINGH BEDI)
JUDGE

13.11.2025
sukhpreet

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