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

**CRA-S No.2803 of 2025 (O&M)
Date of Decision: 11.09.2025**

Saranjit Singh @ Gorkha

..... Appellant

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amaninder Preet, Advocate
for the appellant.

Mr. J. S. Arora, DAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present appeal has been filed by the appellant, namely, Saranjit Singh @ Gorkha against the order dated 05.06.2025 passed by the learned Judge, Special Court, Pathankot vide which he was convicted in a case bearing FIR No.48, dated 01.04.2021, under Section 15 of NDPS Act, registered at Police Station Sujampur, District Pathankot and sentenced to undergo rigorous imprisonment for a period of 06 months and to pay a fine of Rs.5,000/- and in default of payment of fine to further undergo rigorous imprisonment for one month under Section 15(b) of NDPS Act.

2. As per the prosecution story, on 01.04.2021, SI Harjinder Singh along with other police officials was present in the office of Anti



Narcotic Cell, Pathankot. Then ASI Sooram Singh called SI Harjinder Singh along with other police officials and got recorded his statement that he was posted in Anti Narcotic Cell, Pathankot and while he was on patrolling at Adda Madhopur, a secret information was received to the effect that three persons, who are involved in selling Poppy Husk, are coming in a tempo traveler bearing registration No.PB-01-A-7280 from the side of Jammu along with the contraband and in case of barricading, they could be apprehended along with the contraband. On finding the secret information reliable, the barricading was laid and the tempo traveler, as disclosed in the secret information, was seen coming and stopped in which three persons were there. On asking, driver of the vehicle disclosed his name as Sonu Kumar and other two persons disclosed their names as Charanjit Singh @ Chann @ Kala and Saranjit Singh @ Gorkha (appellant). They were suspected to be carrying some contraband. On giving the offer, search was conducted. On conducting the search, three plastic bags of poppy husk were recovered, which in total was 35 Kgs of poppy husk. They failed to produce any license regarding the conscious possession of the same and hence, the FIR was registered. The samples taken were sent to the FSL. All were arrested on the spot and the investigation was completed. After the trial, the appellant was convicted and sentenced as stated above by the learned trial Court, hence this appeal has been filed by the appellant challenging his conviction and sentenced detailed above.



3. Learned counsel for the appellant has submitted that he does not want to challenge the conviction of appellant on merits but as far as sentence part is concerned, he prays that the same may be reduced to that of already undergone by the appellant. He has submitted that the present case pertains to the year 2021 and the appellant has already undergone the actual sentence of 04 months and 13 days of the total awarded sentence of 06 months by the learned trial Court. He has further submitted that the appellant has no criminal antecedents and as such a lenient view be taken and the sentence awarded be reduced to that of already undergone.

4. Custody certificate of the appellant dated 10.09.2025 has been filed by learned State counsel today in the Court and the same is taken on record. Copy thereof has been supplied to learned counsel for the appellant.

5. Learned counsel for the State has opposed the contentions raised by learned counsel for the appellant. He has submitted that the present appeal is liable to be dismissed.

6. Heard.

7. Admittedly the present case pertains to year 2021 and the appellant was convicted and sentenced as stated above in the year 2025 and thus he has faced a protracted trial for about 04 years. There is nothing on record to show that during this period, the appellant has indulged in any unlawful activity. A perusal of the custody certificate



produced by the learned State counsel shows that there is no other case pending or registered against the appellant.

8. Keeping in view all the abovesaid factors into consideration, the conviction awarded by the learned trial Court to the appellant is upheld and maintained as the same has not been challenged on merits. As far as the sentence part is concerned, this Court deems it appropriate to reduce the sentence from 06 months to the period already undergone by the appellant.

9. With the above said observations, the appeal stands disposed of. Pending application, if any also stands disposed of.

11.09.2025

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(RAJESH BHARDWAJ)
JUDGE

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