



and Psychotropic Substances Act, 1985.

3. At the very outset, learned counsel for the appellant contends that he does not want to challenge the conviction of the appellant on merits. However, he submits that in view of the circumstances of the case, the sentence awarded by the trial Court is on higher side.

4. Here it would be pertinent to mention that the appellant did not challenge his conviction on merits and only confined his relief qua quantum of sentence. This Court has also scrutinized the impugned judgment as well as the relevant documents/evidence and is of the considered view that there is no scope for any interference in impugned judgment as far as the conviction of the appellant is concerned. As such, the conviction of the appellant is upheld.

5. As far as quantum of sentence is concerned, there are mitigating circumstances to take a lenient view in the matter of sentence awarded by the trial court. The appellant has undergone the actual sentence of 1 year, 2 months and 24 days out of total substantive sentence of 15 months as of now, as per the custody certificate of the appellant filed by learned State counsel in Court today. Thus, this court is of the considered view that a chance be given to the appellant to reform & improve himself; to become a good citizen; and to lead a peaceful & harmonious life. Though, it is evident that the appellant is also involved in another case under NDPS Act, but in that case he is already on bail.

6. Taking into consideration the above narrated discussion as well as the fact that the appellant has not challenged his conviction on merits, while affirming his conviction, the order of sentence is modified to the extent to the period already undergone by him with no change in fine clause.

7. With the aforesaid modification in the quantum of sentence, the



present appeal stands disposed off.

8. The appellant is ordered to be released forthwith in case he is not required in any other case.

9. The criminal misc. application i.e. CRM-2947-2025 seeking suspension of sentence of the applicant/appellant is disposed off, as having been rendered infructuous.

17.03.2025

anuradha

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No