



IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 113

CRA-S-1779 of 2025 (O & M)

Date of Decision: May 26, 2025

Pamma Singh

..... PETITIONER(S)

VERSUS

State of Punjab

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

PRESENT: - Mr. Aajeshwer Singh Grewal, Advocate, for the appellant.

Mr. Jastej Singh, Additional Advocate General, Punjab.

SANDEEP MOUDGIL, J (Oral)

The instant appeal has been preferred by accused Pamma Singh challenging judgment of conviction and order of sentence dated 05.04.2025 passed by the Judge, Special Court, Bathinda, whereby the appellant has been sentenced to undergo RI for a period of three years alongwith fine to the tune of ₹ 10,000 and in default thereof, to further undergo RI for a period of two months under Section 15(b) of Narcotics Drugs and Psychotropic Substances Act, 1985; and RI for six months alongwith fine of ₹ 1,000 and in default thereof to undergo RI for 10 days under Section 27 of Act ibid, for having conscious possession of 25 kg of poppy husk without any permit of license.

2. 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, submits that in view of the circumstances of the case, the sentence awarded by the trial Court is on higher side.

3. 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.

4. 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 total sentence of one year five months and four days out of total substantive sentence of three years, as of now, as per the custody certificate of the appellant filed by learned State counsel in Court today. Apart from that there is no body in his family to look after his family members, who are fully dependent upon him and he is only bread earner in his family. 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.

5. 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.**

6. With the aforesaid modification in the quantum of sentence, the present appeal stands dismissed.

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



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8. Pending application(s), if any, stand also disposed off as having been rendered infructuous.

(SANDEEP MOUDGIL)
Judge

May 26, 2025
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No