

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

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**378-2**

**CRA-S-2196-SB-2006**

**Date of Decision:-18.07.2025**

**CHHINDA SINGH @ JANTA**

**.....APPELLANT**

**Vs.**

**STATE OF PUNJAB**

**....RESPONDENT**

**CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present:- None for the appellant.

Ms. Pratibha Bali, AAG, Punjab.

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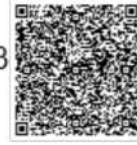
**DEEPAK GUPTA, J. (ORAL)**

Appellant was tried by Ld. Special Court, Barnala in a case arising out of FIR No.132 dated 05.09.2003 under Section 15 of the NDPS Act (Act No.61), 1985, registered at Police Station Dhanaula as he was found in possession of 25 killo and 500 grams of poopy husk. After trial, the appellant was convicted vide judgment dated 28.09.2006 by the trial Court and was sentenced to undergo rigorous imprisonment for a period of five years and to pay fine of ₹50,000/- with default sentence of one year and 6 months rigorous imprisonment in case of non-payment of fine.

2. Against the abovesaid conviction and sentence, this appeal was filed.

3. Today nobody is appearing on behalf of the appellant. This Court has gone through the impugned judgment of the trial Court and finds that conviction has been recorded after proper appreciation of the evidence on record. This Court does not find any reason so as to interfere in the impugned judgment of conviction and as such, the same is hereby maintained.

4. However as far as the impugned order of sentence is concerned



it is noticed that appellant was sentenced to undergo rigorous imprisonment for a period of five years and to pay fine of ₹50,000/- with default sentence of one year and 6 months rigorous imprisonment in case of non-payment of fine.

5. Counsel for the respondent-State states that the appellant has already undergone actual custody sentence of 08 months and 24 days and further states that appellant is neither involved in any other criminal case nor involved in any criminal activity after the impugned conviction.

6. In the aforesaid facts and circumstances, it will be in the interest of justice, if the period of imprisonment is reduced to the period already undergone by the appellant, instead of sending him behind bars in the company of hardened criminals.

7. Consequently, the present appeal is partly accepted. By maintaining the impugned judgment against conviction, the order of sentence as passed by the trial Court is modified and the appellant is sentenced to imprisonment for the period already undergone by him. As far as fine is concerned, it will remain the same.

8. However, it is made clear that amount of fine, if not paid earlier, shall be deposited before learned Chief Judicial Magistrate concerned, within a period of four weeks from today, failing which the appellant will have to carry out the complete sentence as imposed by the trail Court.

Disposed of.

**( DEEPAK GUPTA )**  
**JUDGE**

**July, 18, 2025**

*Pry*

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|---------------------------|-----|
| Whether Speaking/reasoned | Yes |
| Whether Reportable        | No  |