

STATE VERSUS AAKASH AND OTHERS

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IN THE COURT OF DANISH GUPTA, ADDITIONAL SESSIONS
JUDGE, YAMUNA NAGAR AT JAGADHRI. (UID NO.HR0256)

C.N.R. No. HRYN01-003372-2021.

HRYN010033722021

CIS No. NDPS-51-2021.

Date of Institution: 16.06.2021.

Date of Decision: 21.07.2026.



State	Versus		Aakash alias Kaash son of Amarjeet, resident of Chhota Baans, Deha Basti, Radaur, Police Station Radaur, District Yamuna Nagar.
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.....Accused.

FIR No. 57 dated 07.04.2021

Under Sections 21 and 29 of The Narcotic Drugs
and Psychotropic Substances Act, 1985.

Police Station: Radaur.

Argued by:

Shri Kapil Dev, Learned Public Prosecutor for the State.

Accused Aakash alias Kaash on bail represented by

Shri S.S. Nehra, Advocate.

JUDGMENT

The above-named accused was forwarded by the S.H.O., Police Station Radaur, District Yamuna Nagar, for facing trial for the commission of offence punishable under Section 21 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter to be referred as the Act).

(Danish Gupta)
ASJ/Yamuna Nagar.

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2. Per prosecution, on 07.04.2021, the accused was apprehended by S.I. Surender Kumar along with a narcotic substance, i.e. Heroin weighing 6 grams, based on secret information. Consequent upon making necessary compliance under the Act, he was formally arrested.

3. After the completion of the usual formalities of the investigation, the final report for the commission of the offences punishable under Sections 21 (b) and 29 of the Act was presented in the Court for the trial of the accused and co-accused.

4. On finding a prima facie case for the commission of offence punishable under Section 21 (b) of the Act, the accused was charge-sheeted for the commission of offence punishable under Section 21 (b) of the Act, vide order dated 09.11.2023, to which he did not plead guilty and claimed trial.

5. Today the case was fixed for prosecution evidence. However, the accused expressed his desire to confess his guilt qua the offence in question. The Court explained to the accused that he is not bound to make confession and that if he makes confession, it might be used as evidence against him. After this warning, adequate time was given to him to think over his decision again. He stated that he is confessing his guilt with his free consent and without any pressure or inducement. In view of the statement made by the accused, this Court has reason to believe that the confession has been made by the accused voluntarily. His confessional statement has been recorded separately.

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6. Heard. Since the accused has confessed his guilt, he is hereby held guilty for the commission of offence under Section 21 (b) of the Act and convicted thereunder. Let, he be heard on question of sentence.

Announced:
Dated: 21.07.2026

(Danish Gupta)
Additional Sessions Judge,
Yamuna Nagar.
(UID Code No. HR-0256)

Note: Every page of this judgment has been checked and signed by me.

(Danish Gupta)
Additional Sessions Judge,
Yamuna Nagar.

Sanjay

(Danish Gupta)
ASJ/Yamuna Nagar.

ORDER ON QUANTUM OF SENTENCE:

Present: Shri Kapil Dev, Learned Public Prosecutor for the State.
Convict in custody represented by Shri S.S. Nehra,
Advocate.

ORDER

This order shall form part of the judgment of even date, vide which the convict has already been held guilty for the commission of offence punishable under Section 21 (b) of the Act and convicted thereunder.

2. I have heard the learned counsel for the convict and the learned Public Prosecutor for the State on the point of quantum of sentence today.

3. Statement of the convict recorded, vide which he stated that he is a poor person, not a previous convict and he remained in custody in this case from 07.04.2021 to 24.05.2021. He pleaded that a lenient view may kindly be taken in his favour. In addition to that, the learned counsel for the convict contended that keeping in view the antecedents of the convict and other attending circumstances of the case, he may kindly be dealt with leniency in the matter of sentence.

4. Per Contra, the learned Public Prosecutor for the State has contended that no leniency is required to be shown and he is liable to be strictly dealt with in the matter of his punishment.

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5. After having considered the respective contentions of both sides, his antecedents, the quantity of substance recovered and other attending circumstances, in my considered view, ends of justice would suffice, if the convict is sentenced to undergo imprisonment for the period which he has already undergone, i.e. from 07.04.2021 to 24.05.2021 and pay a fine of ₹ 10,000/- for the commission of the offence punishable under Section 21 (b) of the Act. It is ordered accordingly. Fine paid. The convict be released at once.

Announced:
Dated: 21.07.2026

(Danish Gupta)
Additional Sessions Judge,
Yamuna Nagar.
(UID Code No. HR-0256)

Sanjay

(Danish Gupta)
ASJ/Yamuna Nagar.