

***IN THE COURT OF SH.ARUN GUPTA,PCS,
JUDICIAL MAGISTRATE IST CLASS, PATIALA.***

PBPT030065302021



CIS No. CHA: 434/2021

CNR Number : PBPT03006530-2021

Date of Decision: 05.08.2023

S T A T E

Versus

Judgebir Singh son of Prem Singh, r/o Ekal Gadda, District Tarantaran.

..... Accused

FIR Number: 08 of 10.01.2021

Police Station: Tripuri, Patiala.

***Under Section: 18/61/85 of NDPS
Act***

Present: Sh.Janpreet Sharma, APP for the State
Accused Judgebir Singh in custody represented by
(Produced through VC).

JUDGMENT:

1. The above named accused have been sent to face trial by the Station House Officer of Police Station Tripuri, Patiala for an offence punishable U/s 18/61/85 of NDPS Act of Prison Act.

2. In brief, the facts of the prosecution case are that on 09.1.2021, Superintendent, Central Jail, Patiala has sent one complaint to SHO, P.S. Tripuri, Patiala for taking action against the accused person on

the allegations that on 09.01.2021, accused Harpreet Singh and Judgebir Singh were lodged in Central Jail, Patiala in case FIR No.75 of 2019, U/s 21-29 of NDPS Act, PS Tarsika, District Amritsar, accused Jasbir Singh in case FIR No.45 of 2020, U/s 21-29 of NDPS Act, PS Lopoke, District Amritsar as prisoner. On 09.01.2021, at about 04.00 p.m, during checking conducted by Assistant Superintendent in the presence of other jail officials, all the accused were found in possession of 20 gram opium.

3. Upon receiving the said complaint, present FIR was registered against the accused person. Investigation was set into motion. During investigation, **SI Hansraj Singh** alongwith other police officials went to Central Jail, Patiala, where Assistant Superintendent met him, who produced recovered contraband before him. The case property was taken into police possession vide memo. Site plan of place of recovery was prepared. Accused were arrested. Statements of witnesses were recorded. After completion of remaining entire investigation, challan was presented in the Court for offence U/s 18/61/85 of NDPS Act against the accused persons.

4. On presentation of the Challan, all the accused were supplied with copies of the documents free of costs as envisaged under section 207 Cr.P.C.

5. Today when the accused Judgebir Singh produced in the court by the jail authority through VC, he intends to confess his guilt and accordingly, he suffered separate statement whereby he confessed his guilt.

6. This court is satisfied that the accused has confessed their guilt voluntarily and the same is free from any inducement, threat or promise, which in considered opinion of this court, is sufficient for recording the conviction of the accused. As such, the accused is held guilty for an offence U/s 18/61/85 of NDPS Act and stands convicted accordingly thereunder. Let convict be heard on the question of sentence.

Announced
05.08.2023
(Balwinder Kumar)
Stenographer Gr.II

(Arun Gupta),
Judicial Magistrate Ist Class,
Patiala. (UID No.PB0408)

QUESTION OF SENTENCE:

Present: Convict in custody.
Sh. Janpreet Sharma, APP for the State

7. Heard. Convict has prayed that he is poor person, so, lenient view may be taken. However, in view of facts and circumstances of the case and nature of offence committed by the convict, no lenient view is possible but however, considering the long incarceration, **the convict is sentenced to undergo imprisonment already undergone by him in this case during inquiry, investigation and trial of this case.** The case property, if any, is ordered to be disposed off as per rules, after awaiting the result of appeal/revision, if any. File be consigned to the record room after due compilation.

Announced
05.08.2023
(Balwinder Kumar)
Stenographer Gr.II

(Arun Gupta),
Judicial Magistrate Ist Class,
Patiala. (UID No.PB0388)

(Arun Gupta),JMIC
Patiala (UID no.PB0388)

434-2021 CHA State Vs Harpreet Singh & ors.

Present: Sh.Janpreet Sharma, APP for the State
Accused Harpreet Singh & Jasbir Singh already convicted
vide Judgment dated 3.8.2023.
Accused Judgebir Singh in custody
(Produced through VC).

Accused Judgebir Singh has been produced by the jail
authority through VC. Accused has made his confession vide separate
statement.

Heard. Vide my separate detailed judgment of even date, the
accused has been convicted and sentenced, as stated therein. The case
property be disposed of as per rules, after expiry of period of
appeal/revision, if any. File be consigned to the record room after due
compilation.

Announced
05.08.2023
(Balwinder Kumr)
Stenographer Gr.II

(Arun Gupta),
Judicial Magistrate Ist Class,
Patiala. (UID No.PB0388)