



NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 256 of 2025

Chandrashekhar Sahu S/o Santram Sahu Aged About 20 Years R/o Sadar Bazar Para, Champa,
District- Janjgir-Champa (C.G.)

...Appellant

versus

State Of Chhattisgarh Through Station House Officer, Police Station- Janjgir, District- Janjgir-
Champa (C.G.)

... Respondent

27.02.2025	Mr. T.S.Sahu, Counsel for the Appellant. Ms. Pragya Shrivastava, Deputy Govt. Advocate for the State. Heard on admission as well as I.A. No. 01/2025, an application for suspension of sentence and grant of bail. Admit. By virtue of the impugned judgment of conviction and order of sentence dated 29.11.2024 passed by learned Special Judge (NDPS Act, Janjgir, Champa C.G.) in Special Criminal Case NDPS No. 03/2024 (Annexure A/1) , whereby appellant has been convicted and sentenced as under: <table><tr><th>Conviction</th><th>Sentence</th></tr><tr><td>Under Section 21(c) read with Section 29 of the NDPS Act, 1985</td><td>R.I. for 10 years and fine of Rs. 1,00,000/- months.</td></tr></table>	Conviction	Sentence	Under Section 21(c) read with Section 29 of the NDPS Act, 1985	R.I. for 10 years and fine of Rs. 1,00,000/- months.
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Under Section 21(c) read with Section 29 of the NDPS Act, 1985	R.I. for 10 years and fine of Rs. 1,00,000/- months.				

	In default of payment of fine 01 month Additional S.I.
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Learned Counsel appearing for the appellant contended that the appellant has a prima facie good case in his favor and he is hopeful to succeed on it. The evidence of the prosecution suffers from material infirmities and also the independent witnesses have not supported the case of the prosecution and even there are lapses on compliance of mandatory provision of NDPS Act, as such and in the light of the evidence available on record false implication of the appellant cannot be ruled out. The appellant is ready to abide all the terms and conditions which may be imposed by this Hon'ble Court while suspending the jail sentence of the appellant.

Learned State Counsel objected the prayer stating that in the judgment rendered by the Trial Court all incriminating circumstances are against the accused appellant which connects them with the crime and chain of circumstances are fully linked and completed with each other.

I have heard learned counsel for the parties and perused the record with utmost circumspection.

Considering the totality of the facts, in particular that nine cartons with 1080 sealed bottles of Codeine Phosphate and Triprolidine Hydrochloride Syrup (totalling 108 litres) which is a commercial quantity was seized from the exclusive possession of the appellant and no legal documents were provided for the narcotics, I am of the opinion that present is not a fit case to suspend the jail sentence imposed upon the appellant.

Accordingly, the substantive jail sentence imposed upon

	the appellant by the learned trial court is hereby rejected. Consequently, IA No. 01/2025 stands rejected List this case for final hearing in its due course. sd/- (Arvind Kumar Verma) Judge

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