



HIGH COURT OF CHHATTISGARH AT BILASPUR

CRA No. 828 of 2026

1 - Sneha Gupta W/o Roshan Alias Nirmal Gupta Aged About 31 Years R/o F1 Green City Mandotal, Thana - Mandotal, District Jabalpur M.P.

2 - Kamna Dubey W/o Devendra Dubey Aged About 40 Years R/o F1 Green City Mandotal, Thana - Mandotal, District Jabalpur M.P.

... Petitioner

Versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Singhoda, District Mahasamund Chhattisgarh

... Respondents

Order Sheet

29/05/2026	Ms. Anjali Pradhan, Advocate (through video conferencing) for the Appellants. Mr. Anil Kumar Pandey, Government Advocate for the Respondent/State. Heard on I.A. No. 02/2026 which is an application for urgent hearing and I.A. No. 03/2026 which is an application for early hearing during summer vacation. On due consideration of the submission of counsel for the
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appellants as also, the pleadings made in the application, I.A. No. 02/2026 and I.A. No. 03/2026 are allowed.

Heard.

Admit.

Record has already been received.

Heard on I.A. No. 01/2026 which is an application for suspension of sentence and grant of bail to the appellant.

By the impugned judgment of conviction and order of sentence dated 12.03.2026 (Annexure A/1) passed by the learned Special Judge, Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, Saraipali, District – Mahasamund (C.G.) in Special Criminal (N.D.P.S. Act) Case No. 16/2024, has convicted and sentenced the Appellant as under:-

Conviction	Sentence
U/s 20 (b) (ii) (B) of N.D.P.S Act, 1985.	R.I. for 03 years and fine of Rs. 25,000/- and in default of payment of fine, additional R.I. for 06 months. (for both the appellants)

Learned counsel for the appellants submit that the appellants were on bail during trial and presently, the appellants are in jail from the date of passing of the judgement by the learned Trial Court on 12.03.2026 in Special Criminal (N.D.P.S. Act) Case No. 16/2024. She further submits that 7 kgs of Cannabis (Ganja) was seized from the possession of the appellants while they were traveling on scooty, however, the independent witnesses to the incident have turned hostile before the learned Trial Court. According to the learned counsel, the appeal is likely to take some time for its final hearing. She would

submit that the appellants are having *prima facie* good case in their favour and are likely to succeed. Hence, the substantive jail sentence awarded to the appellants may be suspended.

On the other hand, learned State Counsel opposes the submission made by the counsel for the appellants and would support the judgement (Annexure A/1) passed by the learned Trial Court. He would further submit that 7 kgs of Cannabis (Ganja) has been seized from the exclusive possession of the appellants. Hence, the sentence imposed upon the appellants may not be suspended.

I have heard learned counsel for the respective parties.

When question is posed upon the learned counsel for the Respondent/State as to whether, there is any criminal antecedent against the applicant, he submits that according to the report placed by the concerned authority, there is no other criminal antecedent against him.

Taking into consideration the facts of the case, submission of counsel for respective parties, the sentence awarded to the appellant, perusal of the records and further considering the submissions made by the counsel for the appellants, that the appellants were on bail during trial and the independent witnesses have been turned hostile, appeal is likely to take some time, I am of the opinion that, present is a fit case to suspend the substantive jail sentence imposed upon the appellants.

Accordingly, the substantive jail sentence imposed upon the Appellants by the learned Trial Court is hereby suspended. It is directed that the Appellants shall be released on bail on their executing a bail bond of Rs. 25,000/- each with one surety in the like amount to the satisfaction of the concerned Trial Court

for their appearance before the Registry of this Court on **08.07.2026 (Wednesday)**. Thereafter, they shall appear before the concerned Trial Court on a date to be given by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to them by the said Court, interval being not less than 6 months, till final disposal of this appeal.

Consequently, I.A. No. 01/2026 stands disposed of.

Sd/-
(Bibhu Datta Guru)
Judge