

Prem Pal Vs. State of H.P.

Cr. Appeal No. 409 of 2025

28.7.2025 Present: Mr. Sudhir Thakur, Senior Advocate with
Mr. Somesh Sharma, Advocate for the
appellant.

Mr. Varun Chandel, Addl. A.G., for the
respondent-State.

Cr. M.P. No. 3153 of 2025

Reply not filed. Further adjournment for
this purpose is not justifiable. Consequently, right to
file reply, on behalf of respondent-State, is closed, by
the order of the Court.

By way of the present application,
indulgence of this Court has been sought to suspend
the order of sentence dated 14.7.2025, passed by the
Court of learned Special Judge-1, Sirmaur at Nahan,
H.P. (hereinafter referred to as the 'trial Court'), in
Case No. 18 of 2021, titled as 'State of H.P. versus
Prem Pal & anr.'.

Applicant has preferred the present
Criminal Appeal against the judgment of conviction,
dated 11.7.2025 and order of sentence dated
14.7.2025, passed by the learned trial Court,
whereby, the learned trial Court has convicted the
applicant for the commission of offence punishable
under Section 20(b)(ii)(B) of the NDPS Act and

sentenced him to undergo rigorous imprisonment for a period of three years and to pay fine of Rs. 10,000/-. In default of payment of fine, he has been sentenced further to undergo simple imprisonment for a period of two months.

The present appeal, preferred by the applicant, will take sufficient long time, for its decision. Consequently, in view of the period of custody, the application, under consideration is allowed and the order of sentence dated 14.7.2025, passed by the learned trial Court, is ordered to be suspended, during the pendency of the appeal, and the applicant, who is in judicial custody, is ordered to be released on bail, subject to the following conditions:

(i) That the applicant shall furnish personal bond in the sum of Rs.50,000/-, along with one surety of the like amount, to the satisfaction of the learned trial Court, within a period of four weeks from today, with an undertaking that he will surrender before the learned trial Court to serve the remainder substantive sentence, in case of ultimate dismissal of the present appeal, by this Court;

(ii) That the applicant shall deposit the fine amount, with the learned trial Court, within a period of eight weeks from today, if not, already deposited by the applicant.

(iii) The applicant shall not leave the territory of India without the prior permission of the Court.

Application is, thus, disposed of.

A copy of this order be sent to the learned trial Court, with a direction that the report of compliance of this order be submitted to this Court.

(Virender Singh)
Judge

July 28, 2025
(kalpana)

Digitally signed by VIKRANT CHANDEL
Date: 2025.07.28 18:34:52 IST