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CRA-S-1701-2026 (O&M)

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**110 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRA-S-1701-2026 (O&M)

Decided on: 13.05.2026

Mohit Seth

..... Appellant

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Tushaar Madaan, Advocate
for the appellant.

Mr. Ekom Pal Sagoo, A.A.G., Punjab.

Rajesh Bhardwaj, J.

1. Present appeal has been preferred by the appellant against the order passed by learned Judge, Special Court, SAS Nagar, whereby, appellant was convicted for the offence under Section 21-B of Narcotic Drugs and Psychotropic Substances Act, 1985 vide order dated 07.05.2026 and sentenced him to undergo rigorous imprisonment for 01 year alongwith fine of Rs.10,000/-.

2. Brief facts of the case of the prosecution are that on 19.09.2019, while the police party on patrolling in the area of Madanpur Chowk, SAS Nagar Mohali, on suspicion, apprehended the appellant. He was suspected to be carrying some contraband and thus search was conducted. On conducting the search, 55 grams of heroin and Rs.20,000/- as drug money, were recovered from his possession. He failed to produce any



licence for the possession of the same. Hence, the FIR was registered and he was arrested on spot. The investigation commenced. Samples taken were sent to the FSL. On the conclusion of the trial, learned trial Court found the charges to have been proved by the prosecution beyond reasonable doubts against the appellant and thus, convicted and sentenced him as stated above vide order dated 07.05.2026.

3. Learned counsel for the appellant has submitted before this Court that the appellant is facing rigors of criminal proceedings since 19.09.2019. He submits that the petitioner was awarded sentence of 01 year rigorous imprisonment and as per custody certificate, he has already undergone actual of 01 month and 06 days as on 12.05.2026. He submits that the appellant does not press his conviction on merits but prays for taking a lenient view and the appeal be disposed of by reducing the sentence to already undergone by the appellant, keeping in view the mitigating circumstances.

4. Notice of motion.

5. On asking of the Court, Mr. Ekom Pal Sagoo, A.A.G., Punjab, appears and accepts notice on behalf of the State. He has opposed the submissions made by learned counsel for the appellant and has produced the custody certificate of the appellant.

6. The Court has heard learned counsel for the parties and with their able assistance perused the record. Appellant has assailed the impugned order dated 07.05.2026, wherein, he was convicted and sentenced, however, the conviction of the appellant is not challenged on



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merits by counsel for the appellant. As reflected from the custody certificate, petitioner has no criminal antecedents as he has never been involved in any other case. It further reflects that out of awarded sentence of 01 year, he has already completed an actual sentence of 01 month and 06 days as on 12.05.2026. Needless to say that the appellant is facing rigors of criminal proceedings since the year 2019. In the overall facts and circumstances, there are mitigating circumstances for considering the prayer made by counsel for the appellant as considerable amount of sentence has already been undergone.

7. Keeping in view all the above facts, the present appeal is disposed of by reducing the sentence of the appellant to that already undergone by him, however, the conviction awarded to the appellant shall remain intact.

8. The appellant be set at liberty forthwith, if not required in any other case. Pending applications, if any, also stand disposed of.

13.05.2026

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**(RAJESH BHARDWAJ)
JUDGE**

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No