

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 421/2014

SANJEEV KUMAR ALIAS TOTA

APPELLANT (S)

VERSUS

STATE OF PUNJAB

RESPONDENT (S)

O R D E R

Though an application for suspension of sentence has been filed, with the consent of the parties we have heard the main appeal itself finally.

The appellant herein was charged for an offence under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985. After the trial, the Special Judge found him guilty of the aforesaid offence and sentenced him to undergo rigorous imprisonment for twelve years and also to pay a fine of Rs.1 lakh and, in default of payment of fine, to undergo further rigorous imprisonment for one year. The appellant filed appeal thereagainst which has been dismissed by the High Court vide impugned judgment dated 09.11.2012 and the sentence imposed upon him is maintained.

After hearing the learned counsel for the parties and perusing the record, we are of the opinion that insofar as conviction of the appellant is concerned, the same is based on credible evidence which was produced by the prosecution before the Trial Court and revisited by the High Court while maintaining the said conviction.

Therefore, no case is made out on this aspect. However, as far as sentenced awarded to the appellant is concerned, we are of the opinion that the same should be reduced from twelve years to ten years rigorous imprisonment. The sentence of fine, however, shall remain unaltered.

The appeal is, accordingly, disposed of.

The appellant shall be released on completion of ten years sentence, if not required in any other case.

In view of the above, Interlocutory Application No.21664/2018 becomes infructuous, which is accordingly dismissed.

.....J.
[A.K. SIKRI]

.....J.
[ASHOK BHUSHAN]

NEW DELHI;
MARCH 23, 2018.

ITEM NO.2

COURT NO.6

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s). 421/2014

SANJEEV KUMAR ALIAS TOTA

Appellant(s)

VERSUS

STATE OF PUNJAB

Respondent(s)

(ONLY IA No.21664/2018 - APPLICATION FOR SUSPENSION OF SENTENCE AND RELEASE ON BAIL IN THE MATTER TO BE LISTED BEFORE THE HON'BLE COURT.)

Date : 23-03-2018 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHANFor Appellant(s) Mr. Sanjeev Kumar, Sr. Adv.
Mr. Sudir Kumar Santoshi, Adv.
Ms. Manjula Gupta, AOR

For Respondent(s) Ms. Jaspreet Gogia, AOR

UPON hearing the counsel the Court made the following
O R D E R

The appeal is disposed of in terms of the signed order.

Pending application(s), if any, shall be disposed of
accordingly.(ASHWANI THAKUR)
COURT MASTER (SH)(MALA KUMARI SHARMA)
COURT MASTER

(Signed order is placed on the file)