

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No 686 of 2013

- Smt. Sanjana Devi @ Chunni Devi Gupta, W/o Late Shri Vicky Gupta, aged about 30 years, R/o Near Joda Talab Ambikapur, Police Station Ambikapur, Civil & Revenue District Ambikapur, Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh Through Police Station Ambikapur, District : Surguja, Chhattisgarh

---- Respondent

For Appellant : Shri Rakesh Pandey, Advocate.
For Respondent/State : Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

30/06/2018

1. Vide judgment dated 24-05-2013 passed by the Special Judge under the NDPS Act, Ambikapur, District Surguja (C.G.) in Special Criminal Case No. 25/2011. The Appellant has been convicted under Section 21 (B) of the NDPS Act and sentenced to undergo rigorous imprisonment for 5 years and to pay fine of Rs. 10,000/-, with default stipulation.
2. A certificate of incarceration sent by the Jail Superintendent Central Jail, Ambikapur dated 09-03-2018 would mention that the Appellant has already undergone his entire jail sentence imposed

upon him by the Trial Court and he was released on 25-09-2016 from the Jail.

3. I have heard both the counsel appearing for the parties and perused the record minutely.
4. As alleged by the prosecution, 14 grams of Brown Sugar have been seized from illegal possession of the Appellant. Suresh Verma (PW-5) and Shankar Bargah (PW-6) have not supported the case of the prosecution. The case of the prosecution is based upon the statements of Head Constable Dilsay Kujur (PW-1), Constable Surajmen Singh (PW-2), Constable Nihali Sahu (PW-3), Sub-Inspector R.K. Nishad (PW-4) and Chotu Bhagat (PW-7). The above mentioned prosecution witnesses have supported the case of the prosecution.
5. Considering the material available on record, I do not find any merit in this appeal.
6. Consequently, the appeal deserves to be and is hereby dismissed.

Sd/-

(Arvind Singh Chandel)

Judge