

**CRM No.10301 of 2015 in
CRA-S No.887-SB of 2014**

Amandeep Singh Versus State of Punjab

Present: Mr. H.S.Ghuman, Advocate
 for the applicant-appellant.

 Mr. P.S.Hundal, AAG, Punjab.

The present application has been filed under Section 389 Cr.P.C. for suspension of sentence of the applicant-appellant Amandeep Singh during the pendency of appeal.

The applicant vide judgment and order dated 22.01.2014 was convicted under Section 21 of NDPS Act in a case FIR No.96 dated 10.07.2010 registered at police station City Rupnagar and was sentenced to undergo R.I. for a period of 10 years and to pay a fine of Rs.1 lac.

Learned counsel for the applicant contends that the applicant is convicted for having in his possession 50 bottles of cough syrup. It is further contended that the applicant was earlier facing trial under Copy Rights Act as he was having in his possession pirated compact disks. It is further submitted that the applicant has already undergone 01 year, 02 months and 02 days out of total sentence of 10 years awarded to him and that the case has been planted upon him while he was in custody in a case under Copy Rights Act.

The factum of the custody undergone by the applicant is not disputed by learned counsel for the State, who has produced the custody certificate of the applicant on record. It is further stated that there is no other case of the like nature pending against the applicant.

On due consideration of the material on record and noticing the arguable point in the appeal and further noticing the fact that the

applicant-appellant has undergone 01 year, 02 months and 02 days out of the total substantive sentence of 10 years and noticing that the appeal is of the year 2014, which is not likely to fructify in the near future, I deem it appropriate to suspend the sentence of the applicant – Amandeep Singh during the pendency of appeal and direct that he be released on bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Rupnagar.

The criminal miscellaneous application stands allowed.

20.04.2015
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**(Mahesh Grover)
Judge**