

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 206 OF 2019
(Arising out of SLP(CrI.) No. 1015/2018)

GENDALAL .. APPELLANT(S)

VERSUS

**NARCOTICS CONTROL BUREAU ..
INDORE REGIONAL UNIT RESPONDENT(S)**

O R D E R

Leave granted.

The only aspect on which notice was issued was the quantum of sentence. The appellant is stated to be Cleaner of the vehicle from where contraband article being, Ganja of 26 quintals 11 Kgs. was recovered. The appellant has already undergone sentence of more than 10 years and is stated to be more than 80 years of age.

In view of minimum sentence being already undergone by the appellant and the age factor of the appellant, we consider it appropriate

to reduce the sentence to the period already undergone, specifically in view of the age of the appellant. The appellant is directed to be released forthwith, if not required in connection with any other case.

The appeal is, accordingly, allowed.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[INDRA BANERJEE]

NEW DELHI,
FEBRUARY 01, 2019.

ITEM NO.34

COURT NO.14

SECTION II-C

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

Petition for Special Leave to Appeal (CrI.) No. 1015/2018

(Arising out of impugned final judgment and order dated 07-05-2015 in CRLA No. 489/2011 passed by the High Court Of Chhatisgarh At Bilaspur)

GENDALAL

Petitioner(s)

VERSUS

NARCOTICS CONTROL BUREAU INDORE REGIONAL UNIT
(WITH APPLN. FOR EXEMPTION FROM FILING O.T.)

Respondent(s)

Date : 01-02-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Shail Kumar Dwivedi, Adv.
Mr. Siddharth Krishna Dwivedi, Adv.
Ms. Nidhi Singh Dwivedi, Adv.
Mr. Gunnam Venkateswara Rao, AOR

For Respondent(s) Ms. L. Charanya, Adv.
Ms. Swati Ghildiyal, Adv.
Mr. B.V. Balaram Das, AOR

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

Leave granted.

The appellant is directed to be released forthwith, if not required in connection with any other case.

The appeal is allowed in terms of the signed order.

[Charanjeet Kaur]
A.R. -cum-P.S.

[Anita Rani Ahuja]
Court Master (NSH)

[Signed order is placed on the file]