

IN THE COURT OF METROPOLITAN MAGISTRATE,
71st COURT, BANDRA, MUMBAI.

C. C. NO. 4090/PS/2023

C. R. No. 545/2023 of BKC P. Stn.

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|----|-----------------|--|-----------------------------|
| 1. | Name of Accused | | 1 :- Surendra Chunni Yadav. |
| | | | 2 :- Vinod Dhondiram Rasal. |
2. Offence complained :- P.U.S.279, 336 of I.P.C. & Sec. 184 of M.V. Act.
3. Particulars of Offence :- That on 29/09/2023, at about 00.10 hours, NSC Junction, BKC, Bandar (E), Mumbai, you both accused were found driving vehicle i.e. motor vehicles bearing registration No.MH-48-BM-6048 and MH-02-CE-4282, respectively so rashly or negligently as to endanger human life or to be likely to cause hurt or injury to any person and thereby committed an offence punishable under section 279 of I.P.C. and within my cognizance.

Secondly, That, you both on above date, time and place drove above mentioned vehicles, as to endanger human life and thereby committed an offence punishable under section 336 Indian Penal Code and within my cognizance.

Thirdly, on above mentioned date, time and place you both accused, drove your above mentioned vehicles at speed or in manner which is dangerous to the public or which causes sense of alarm to other road users and thereby committed an offence punishable under section 184 of the Motor Vehicles Act and within my cognizance.

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Plea of Accused No.1 and No.2:

Q.1: Have you received copy of Charge-sheet ?

Ans: Accused No.1. Yes.

Accused No.2. Yes.

Q.2: Have you heard & understood the Charge now read over & explained to you ?

Ans : Accused No.1. Yes.

Accused No.2. Yes.

Q.3: Do you plea guilty ?

Ans : Accused No.1. Yes.

Accused No.2. Yes.

Signature

Before me,

Accused No.2

Accused No.1

Sd/-

Metropolitan Magistrate,
71st Court, Bandra, Mumbai.

JUDGMENT

1. Both accused are alleged to have committed offence PUS. 279, 336 of I.P.C. and 184 of M. V. Act. Both accused has pleaded guilty voluntarily when the consequences of pleading guilty were explained to them. Thus, both accused will have to be convicted.

2. The Ld. APP argued for maximum punishment. However, there is no evidence of the previous conviction of both accused under the said sections available on record.

3. Heard both accused on the point of sentence. They stated that, they are only earning members in their family. Their economic condition is not sound. Their family is totally dependent on them. They further stated that, it is their first offence and they assured that, they will not commit any offence in future.

4. Considering the plea of both accused, following order is passed.

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ORDER

- 1) Accused No.1 and No.2 are hereby convicted under Sec. 252 for the offence PUS. 279 of Indian Penal Code and are sentenced to pay fine of ₹.1,000/- (One Thousand) **each** and in default of payment of fine both accused are sentenced to suffer Simple Imprisonment for Five (05) days **each**.
- 2) Accused No.1 and No.2 are hereby convicted under Sec. 252 for the offence PUS. 336 of Indian Penal Code and are sentenced to pay fine of ₹.250/- (Two Hundred and Fifty) **each** and in-default of payment of fine both accused are sentenced to suffer Simple Imprisonment for One (01) day **each**.
- 3) Accused No.1 and No.2 are hereby convicted under Sec. 252 for the offence PUS. 184 of M. V. Act and are sentenced to pay fine of ₹.1,000/- (One Thousand) **each** and in-default of payment of fine both accused are sentenced to suffer Simple Imprisonment for Five (05) days **each**.
- 4) All sentences to run consecutively to both accused.
- 5) Seized property if any be returned to its lawful owner, as per rule.
- 6) Proceeding closed. Case papers be filed.

Place : Mumbai.
Date : 07/10/2023.
SRD.

Sd/-
(A. B. Jadhav)
Metropolitan Magistrate,
71st Court, Bandra, Mumbai.