

MHTH120008502025



IN THE COURT OF PRITI SHRIRAM
JUDICIAL MAGISTRATE, FIRST CLASS, (COURT NO.9),
BELAPUR, NAVI MUMBAI.

JUDGMENT ON PLEAD GUILTY
(Delivered on 22/01/ 2025)

1. The accused Nooralam Jiyaul Shaikh @ Nooralam Punjab Shaikh stands prosecuted for the offence punishable under sections 454 & 380 r/w. 34 of the IPC vide crime No.326/2024 registered at Rabale Police Station. It is alleged that accused had committed theft of gold ornaments from the house of informant and witnesses. The contents of offence are read over and explained to the accused in vernacular on Video Conferencing as the accused is in jail. He pleaded guilty to the same and filed application Exh. 3 sent from the jail. The accused prayed for mercy and leniency.

2. The only question therefore arises before me :

- a) Whether the accused pleaded guilty voluntarily?
- b) Whether leniency be shown to him?

3. I answered these points in the affirmative for the following reasons.

REASONS

4. The accused Nooralam Jiyaul Shaikh @ Nooralam Punjab Shaikh has voluntarily pleaded guilty to the charge by his application at Exh.3 . The accused was arrested in this offence on

21-06-2024 since then he is in jail. Considering the plea of the accused and his application at Exh. 3, I am satisfied that it is voluntarily made and hence, I accept the plea of the accused being voluntarily. The accused has submitted that he is repenting upon his act and he has responsibility of his family, hence, a lenient view be taken while passing a sentence. Considering the facts and circumstances of the case and the nature of the offence as well as the accused is in jail since the date of his arrest, I take the lenient view and proceed to pass the following order :-

ORDER

1. Accused Nooralam Jiyaul Shaikh @ Nooralam Punjab Shaikh is hereby convicted for the offence punishable under sections 454 of IPC vide Section 241 of the Cr.P. C., 1973 in crime No. 326/2024 registered at Rabale Police Station and sentenced to Suffer Simple imprisonment for 07 months 2 days.
2. Accused Nooralam Jiyaul Shaikh @ Nooralam Punjab Shaikh is hereby convicted for the offence punishable under sections 380 of IPC vide Section 241 of the Cr.P. C., 1973 in crime No. 326/2024 registered at Rabale Police Station and sentenced to Suffer Simple imprisonment for 07 months 2 days.
3. Set off be granted to accused from the date of his arrest i.e 21-06-2024.
4. All the sentences i.e. R.C.C.No.112/2025(Cr.No.316/2024) 110/2025(Cr.No.326/2024) and R.C.C No.111/2025 (Cr.No.320/2024) shall run concurrently.
5. Issue letter to concern Jailor as well as PSO of concern police

station for information.

6. Case is disposed off.
7. Copy be supplied to accused, free of cost.
8. The muddemal gold ornaments being already returned to the Informant on bond. The bond executed by the informant stands cancelled.
9. Copy of this judgment be sent to the Collector, Thane for further compliance.

Sd/-

(Priti A. Shriram)

Date : 22/01/2025

9th Judicial Magistrate F.C.,
Belapur.