

IN THE COURT OF 36th METROPOLITAN MAGISTRATE,
MUMBAI CENTRAL, MUMBAI.

Case No.: 20/SW/2019

Exh. 02

- 01) Date of commission of Offence : 01/09/2018
- 02) Date of Report : 01/09/2018
- 03) Name of the informant : The Union of India,
with present age and residence : through Railway Protection Force, RPF Bandra Terminus, (C. R. No. 10/2018)
- 04) Name of the accused with present age and residence : Puran Dholi Singh, Age : 28 Yrs., Occ. Nil, R/o.: Footpath Khar Naka, Khar (W), Mumbai.
- 05) Particulars of the Offence : That on 01.09.2018 in running Intercity Express in between Borivali to Bandra Terminus you were found in possession of Railway property i.e. Bathroom Flush Valve and the said property is suspected to be stolen railway property and or obtained unlawfully for which you cannot give any satisfactory account and thereby committed an offence punishable under section 3 Railway Property (Unlawful Possession) Act, 1966 and within my cognizance.

And, I hereby direct that you be tried by me on the said charge.


(S. R. Narwade)

Metropolitan Magistrate,
36th Court, Mumbai Central,
Mumbai.

Date : 12.03.2019

Statement of the accused

1) Have you received case paper/ police challan?

Ans. Yes.

2) Do you understand the particular of offence now read over and explained you in vernacular?

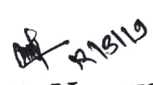
Ans. Yes.

3) Do you plead guilty?

Ans. Yes, I plead guilty.

Signature/ T.I. of the accused

Date : 12.03.2019


(S. R. Narwade)
Metropolitan Magistrate
36th Court, Mumbai Central,
Mumbai.

JUDGMENT

(Delivered on 12th day of March, 2019)

The accused voluntarily pleads guilty. Therefore, the accused is liable to be convicted. The accused submits that he is poor person and only earning member of his family. He further submits that this is his first offence. Therefore, the accused prayed for leniency. Considering submissions of the accused, in my view, lenient view will have to be taken, while imposing sentence. Therefore, in my view, it would not just and proper to punish the accused, severely. Hence, I impose less sentence than prescribed. Therefore, I pass the order :

ORDER

(01) The accused Puran Dholi Singh, R/o.: Footpath, Khar Naka, Khar (W), Mumbai is convicted for the offence punishable under section 3 of the Railway Property (Unlawful Possession) Act vide section 246(3) of the Code of Criminal Procedure and he is sentenced to suffer Rigorous Imprisonment for 06 (सिक्) months.

(02) Set off under section 428 of the Code of Criminal Procedure be given to the accused in sentence from 12.10.2018 till date.


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(03) The sentences passed in C. C. Nos. 19/SW/2019 and 20/SW/2019 of RPF Post Bandra Terminus, Mumbai shall run concurrently.

Date : 12.03.2019

12/3/19
(S. R. Narwade)
Metropolitan Magistrate,
36th Court, Mumbai Central,
Mumbai.