

**IN THE COURT OF SEEMA, PRESIDING OFFICER-CUM-JMIC,
SPECIAL ENVIRONMENT COURT, FARIDABAD. UID:HR0387**

Case No: RBT4/2017

Date of institution: 14.02.2017

Date of decision: 01.03.2024

State	Versus	Rashid
		1. Rashid S/o Sh. Khudabaksh resident of Bhadkal colony, Faridabad.
		2. Washim S/o Sh. Salim resident of Bhadkal colony, Faridabad
		3. Irfan S/o Sh. Rahmudeen, resident of Bhadkal colony, Faridabad.
		4. Azad S/o Sh. Islaam resident of Bhadkal Colony, Faridabad.

FIR No.: 471 dated 13.07.2016

PS: Surajkund, Faridabad.

U/s: 188 IPC, 15 EP Act.

Present:- Sh. Vibhor Khatana, Ld. APP for the State.
Accused Irfan on bail with by SH. Shabeer Hussain, Advocate.
Accused Wasim on bail with by Sh. Rajesh Ahlawat, Advocate
Accused Azad on bail with by Sh. RS Sisodia, Advocate.
Accused Vishnu and Mukesh absent.
Accused Rashid in person.

JUDGMENT:-

The present challan has been filed by the SHO, P.S. Surajkund Faridabad, against the accused for commission of offence, punishable under Section 188 IPC and Section 15 EP Act.

2. Allegations against accused are that in the area of P.S. Surajkund Faridabad, accused were involved in illegal boring.

3. Today accused Irfan, Waseem, Rashid and Azad appeared in the court and desired to confess their guilt. Confessional statement recorded separately. Accused pleaded guilty. This court is satisfied that accused have admitted their guilt voluntarily and without any coercion or undue influence.

4. Keeping in view confession made by accused, they are held guilty for commission of offence under section 188 of Indian Penal Code (IPC) and 15 of EP Act and are convicted accordingly. Let the convicts be heard on the quantum of sentence.

Announced in open court
01.03.2024

(Seema)
Presiding Officer-cum-JMIC
Special Environment Court
Faridabad. UID:HR0387

Present:- Sh. Vibhor Khatana, Ld. APP for the State.
Convict Irfan on bail with by SH. Shabeer Hussain, Advocate.
Convict Wasim on bail with by Sh. Rajesh Ahlawat, Advocate
Convict Azad on bail with by Sh. RS Sisodia, Advocate.
Accused Vishnu and Mukesh absent.
Convict Rashid in person.

Arguments heard on the point of quantum of sentence under Section 188 of IPC and 15 EP Act. Learned APP has contended that severe punishment be awarded to the convicts as they have caused loss to the environment. On the other hand, convicts have submitted in their statement that they are poor and have not been impleaded as accused in any other case after filling of the present case,, therefore, convicts have requested for taking a lenient view in the matter of sentence. Having due consideration to the rival contentions, the convicts are released after paying fine of Rs.10,000/- each under Section 188 of Indian Penal Code and Section 15 of Environment Protection Act and their oral apology regarding loss to environment and further commitment of not causing such loss to the environment in future. Fine paid. In addition to this, keeping in view the fact and circumstances of the present case, the convicts be released.

Announced in open court.
01.03.2024

(Seema)
Presiding Officer
Special Environment Court
Faridabad.UID:HR0387

Certified that this order consist of three pages and all the pages are checked and signed by undersigned.

(Seema)
Presiding Officer
Special Environment Court
Faridabad.UID:HR0387
01.03.2024