

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

C. C. NO. 117/SW/2019.

Exh. :-

The Union of India,
Through Railway Protection Force,
R.P.F. Borivali, Mumbai.
(C. R. No.5/2019).

.... Complainant.

V/s.

1. Ahmed Ali Akbar Ali Ansari.
Age :- 19 Years., Occupation :- Nil.
R/o. :- Ghatkopar, Mumbai.

.... Accused.

Charge :- Punishable under section 3 of the Railway Property
(Unlawful Possession) Act, 1966.

JUDGMENT

(Delivered on 27th day of May, 2022)

Today the accused No.1. Ahmed Ali Akbar Ali Ansari is produced before the Jail Court. The accused voluntarily pleads guilty. I therefore, hold accused guilty for the offence punishable under section 3 of the Railway Property (Unlawful Possession) Act, 1966 and proceed to hear him on the point of sentence.

2. The accused submits that he is poor person and the only income source of his family and requests to take lenient view, while imposing sentence upon him.

3. Accused is a poor person, the muddemal property involved in the crime is meager and therefore lenient view needs to be taken while imposing sentence upon the accused. In the circumstances above the following sentence would be sufficient to meet the ends of justice. Hence, order.

ORDER

- (01) The accused No.1. Ahmed Ali Akbar Ali Ansari, 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 01 (One) Year and to pay fine of ₹ 5,000/- (Five Thousand) in default of payment of fine accused is sentenced to suffer Simple Imprisonment for 01 (One) Month.
- (02) The period of detention, if any undergone by the accused during investigation / inquiry or trial of the case, be set off from the term of imprisonment imposed on him vide section 428 of the Code of Criminal Procedure.
- (03) Sentence passed in C. C. No. 117/SW/2019, 98/SW/2021, 107/SW/2021 and 121/SW/2021 to run concurrently.
- (04) Case to proceed against accused No.2. Shankar Devraj Mudliyar and No.3. Saiyyed Moiddin Saiyyed Imam.
- (05) Copy of judgment be given to accused free of cost.

Sd/-

(J. C. Dhengale)

Date :- 27/05/2022.
SRD.

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