

CRIMINAL CASE NO. 1985 / 2026**-:: ORDER BELOW EXH. 01 :-**

01]. The matter was on board today. The accused Afzal Khan Mohammad Rafiq Pathan had remained present before this Court and have tendered confession pursis vide Exh. 03 and plea was recorded vide Exh. 04 wherein accused confessed his guilt. From the record, it transpires that the accused is charged with offence punishable under Section Section 281 of the BNS and 177, 181, 184 of the MV Act If we consider the aforesaid incriminating section then as per the 281 of BNS and 177, 181, 184 of the MV Act ;

“Whoever, by doing any act, or by omitting to take order with any property in his possession or under his charge, causes danger, obstruction or injury to any person in any public way or public line of navigation, shall be punished, with fine which may extend to five thousand rupees.”

02]. As it is an undisputed fact that no any criminal history of accused is available on record, hence, it transpires that the aforesaid offence is the first offence of the aforesaid accused. Furthermore, from the confession pursis, it transpires that, the accused is economically backward class person and hence have urged to pass a minimum sentence prescribed under the law. Furthermore, from the sentence prescribed by the legislature and the submissions of the accused side and the principles laid down by the ***Hon'ble Gujarat High Court in the case of State of Gujarat vs. Natwarji Thakor reported in 2005(1) GLR page No. 709***, this Court is of considered opinion that a sentence which would be judicious in the aforesaid case, should be of that effect that aforesaid crime is not committed in future and thus of all the above, this Court passes the following order in the interest of justice.

-: : O R D E R : :-

1. The aforesaid accused Afzal Khan Mohammad Rafiq Pathan is hereby held guilty of offence punishable under Section 281 of BNS and 177, 181, 184 of the MV Act and is hereby convicted for the aforesaid offences and is hereby directed to pay a fine of Rs. 500/- (Rs. Five Hundred Rupees) and in default of fine, be sentenced for simple-imprisonment of 5 days.

2. The interim order passed with regards to muddamal is hereby confirmed.

[Pronounced in the Open Court on 11/07/2026]

**PLACE : ANKLESHWAR
DATE : 11/07/2026**

**: VIJAYKUMAR RAMESHBHAI SOLANKI :
ADDITIONAL SR.CIVIL JUDGE &A.C.J.M
ANKLESHWAR
JUDGE CODE : GJ01165**