

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

C. C. NO. 411/PW/2021.

Exh. :- ____

The State of Maharashtra,
Through Police Station Officer,
Railway Police Station, Mumbai Central, Mumbai.
(C. R. No. 223/2021).

.... Complainant.

V/s.

Mangesh Govind Jadhav.

Age :- 35 Years., Occupation :- Nil.

R/o. :- Dadar (W), Mumbai.

.... Accused.

Charge :- Punishable under section 392 of Indian Penal Code and 147,
162 of Indian Railway's Act, 1989.

JUDGMENT

(Delivered on 12th day of August, 2021)

Today the accused is present before Court through video conference. The accused voluntarily pleads guilty. I therefore, hold accused guilty for the offence punishable under section 392 of Indian Penal Code and 147, 162 of Indian Railway's Act, 1989 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. Considering the nature of offence and the grounds put forth by the accused I am of the view that the following sentence would be sufficient to meet the ends of justice. Hence, I pass the order :

ORDER

(01) The accused viz. Mangesh Govind Jadhav is convicted vide section 241 of the Criminal Procedure Code for the offence punishable under section 392 of the Indian Penal Code

and he is sentenced to suffer Rigorous Imprisonment for 04 (Four) Months 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 accused viz. Mangesh Govind Jadhav is convicted vide section 241 of the Criminal Procedure Code for the offence punishable under section 147 of the Indian Railway's Act, 1989 and he is sentenced to pay fine of ₹ 500/- (Five Hundred) in default of payment of fine accused is sentenced to suffer Simple Imprisonment for 15 (Fifteen) Days.

(03) The accused viz. Mangesh Govind Jadhav is convicted vide section 241 of the Criminal Procedure Code for the offence punishable under section 162 of the Indian Railway's Act, 1989 and he is sentenced to pay fine of ₹ 300/- (Three Hundred) in default of payment of fine accused is sentenced to suffer Simple Imprisonment for 15 (Fifteen) Days.

(04) All sentences shall run concurrently.

(05) Sentence passed in C. C. No. 411/PW/2021 and 400/PW/2021 to run concurrently.

(06) 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.

(07) The seized muddemal property i.e. Samsung 8+ mobile handset I.M.E.I. No. 355111090517869 and 355112090517867 be returned to the authorized person i.e. informant viz. Jyotikumari Ajit Singh, R/o. 37/oF, New Navy Nagar, Colaba, Mumbai 400 05.

(08) Copy of judgment be given to accused free of cost.

Sd/-

(J. C. Dhengale)

Metropolitan Magistrate,

36th Court, Mumbai Central,

Mumbai.

Date : 12/08/2021.
SRD.