

IN THE COURT OF METROPOLITAN MAGISTRATE,
36TH COURT, MUMBA CENTRAL, MUMBAI.

Case No. : 63/PS/2018

Exh. 7

The State ...
MCT Railway Police Station, Mumbai
(C. C. R. No. 81/2018)

... **Complainant**

V/s.

Rakesh Chamanlal Das, Age 42 years,
R/o:- Near Nana Shankar Sheth Smashan
Bhoomi Footpath, Marine Lines (E), Mumbai.

... **Accused.**

Charge : 8 (C) r/w 27 N. D. P. S. Act, 1985.

JUDGMENT

(Delivered on 17.03.2018)

1) Today accused appeared before the Court. Matter is on Special Drive Board. Accused moved application for pleading guilty at Exh. 4. The charge is framed against him below at Exh. 5 to which the accused pleaded guilty. The accused is given understanding that he is not bound to plead guilty and if he pleads guilty he will be sentenced to punishment as per law. The particulars of the offence punishable under section 8 (C) r/w 27 N.D.P.S. Act, 1985 were read over and explained to accused in vernacular to which he pleaded guilty voluntarily at Exh. 6. He has further submitted that he feels repentance for the act committed by him and he is poor persons. He is only earning members in their family. On the above grounds prayed for leniency.

2) The accused has no criminal background or antecedents. This is his first offence. There is no evidence produced on record to prove previous conviction of the accused. Considering the age of accused, nature of the offence in my opinion the accused are entitled for leniency.

3) Perused the case papers. Heard accused in persons. Considering the above facts, I hold that the accused are guilty of the offence punishable under section 8 (C) r/w 27 N.D.P.S. Act, 1985 and I proceed to pass the following order.

O R D E R

01. The accused namely, Rakesh Chamanlal Das, Age 42 years, is hereby convicted for the offence punishable under section 8 (C) r/w 27 N.D.P.S. Act, 1985 and sentenced to suffer S.I. for Till Rising of the Court vide section 241 of the Code of Criminal Procedure, 1973.

02. Bail bond of accused stands cancelled.

03. The copy of the judgment be given to the accused free of costs.

Sd/-

(P. B. Lokhande)

Date : 17.03.2018
Mumbai.

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