

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

Case No. : 79/PS/2018

Exh. 4

The State ... MCT Railway Police Station, Mumbai
(C. R. No. 627/2018)

... Complainant

V/s.

Prashant Narayan Gaikwad, Age 30 years,
R/o:- Footpath Beside Platform No. 1 of
Mahim Railway Station, Mahim, Mumbai.

... Accused.

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

JUDGMENT

(Delivered on 28.03.2018)

1) Today accused is produced before the Court through Video Conference. The charge is framed against him below at Exh. 2 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. 3. 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.

ORDER

01. The accused namely, Prashant Narayan Gaikwad, Age 30 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 8 (Eight) Days vide section 241 of the Code of Criminal Procedure, 1973.

02. The accused is behind the bars since 21.03.2018. He be given set off under section 428 of Cr. P. C. for the period of detention undergone by him against the imprisonment imposed on him.

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

Sd/-

(P. B. Lokhande)

Date : 28.03..2018
Mumbai.

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