

28.02.2025

Present: Sh. Parvesh Alam, Ld. APP for State.
Accused in person.

The matter is listed for appearance of accused.

Copy of charge-sheet is supplied to the accused against due acknowledgment.

It is submitted by accused that he has received complete set of charge-sheet and annexed documents.

Substance of the accusation/notice u/S 251 Cr.P.C has been served upon the accused and explained to him, to which **accused pleaded guilty for offence punishable under Section 4 (c) DPT MT Act and did not claim trial.**

Accused has been cautioned about consequences of pleading guilty. But he still state that he wishes to plead guilty. His plea seems to be voluntary and without any pressure.

Statement of accused person recorded separately. Plea of guilt, being voluntary in nature, is accepted and the accused is hereby convicted for the offence under Section 4 (c) DPT MT Act.

Arguments heard on the quantum of sentence.

While deciding the quantum of sentence, the Court has to take into consideration the various aggravating and mitigating circumstances existing in the case and then weigh them to strike a balance which would serve the different objectives of punishment. A sentence should be such which not only acts as a deterrence from repeating the offence but which also provides a fillip to the possibility of reformation of the offender. Both the crime as well as the criminal have to be given primacy while determining the punishment. Circumstances which may not have been pertinent in conviction can also play an important role in the selection of sentence.

In the instant case, the convict was found indulging in toutting, much presumably to earn a livelihood for himself. The perusal of the record further reflects that he was sufficiently diligent in appearing before the Court on the dates fixed and thus, it is not the case where he attempted to delay the proceedings. He belongs to the economically weaker section of the society. All these circumstances show that there are reasonable chances of his reformation and the convict should be given one opportunity for the same. Considering the nature of offence and the circumstances in which it was committed, the convict is hereby sentenced to pay a fine of Rs.1,000/- and in default of payment of fine, simple imprisonment for three days.

Fine paid. Receipt issued.

Accordingly, previous bail bonds of convict are cancelled and his surety is discharged. Endorsement, if any, be cancelled. Original documents, if any, be released to its rightful owner against due acknowledgment. Superdarinama is cancelled. Superdar is discharged.

Copy of this order be given to the convict free of cost.

File be consigned to Record Room after due compliance.

(Abhinav Ahlawat)
JMFC-09/South West District
Dwarka Courts/ New Delhi/28.02.2025