

State of Maharashtra
Vs
Sikandar Dadabhai Sayad & Ors.

IN THE COURT OF JUDICIAL MAGISTRATE F.C, TAL-YEOLA
DIST- NASHIK.

- 1 Date of offence : 17/06/2021.
- 2 Date of Complaint : 17/06/2021.
- 3 Name of complainant : **State of Maharashtra -**
Through – Yeola Taluka Police Station,
Yeola, District - Nashik.
- 4 Name and Residence of : **1] Sikandar Dadabhai Sayad,**
accused Age :- 31 Yrs,
2] Vaibhav Ramkisan Kajale,
Age :- 31 Yrs,
3] Subhash Ramesh Surase,
Age :- 46 Yrs,
All R/o. Andarsul, Tal. Yeola,
Dist. Nashik.

Particulars of the offence:-

5. That, you accused on 17-06-2021 at about 16.45 hours at Devlane Square, near Andarsul Bus stand, Tal. Yeola, Dist. Nashik were found accepting bets and thereby gaming by playing Time and Kalyan Mataka Gambling for your wrongful gain and thereby committed an offence punishable under Section 12(a) of the Bombay Prevention of Gambling Act, and within cognizance of this court.

Place :- Yeola
Date :- 01/02/2024.

(A. S. Kambale)
Judicial Magistrate, F.C.
Yeola, Dist. Nashik.

Statement of Accused :-

1] Have you received copies of case papers ?

Ans. Yes.

2] Have you heard and understood the particulars of the offence now read over and explained to you in vernacular ?

Ans. Yes.

3] Do you plead guilty ?

Ans. Yes, we plead guilty.

.....
(Signature of accused No.1)

.....
(Signature of accused No.2)

.....
(Signature of accused No.3)

Before me

Place :- Yeola.

Date :- 01/02/2024.

(A. S. Kambale)

Judicial Magistrate,F.C.

Yeola, Dist. Nashik.

Today, accused are present before Court. Accused have submitted that, they want to plead guilty. I personally informed them the consequences of plead guilty. Thereafter, also accused submitted that, they want to plead guilty voluntarily. I asked them whether they are pressurized by anybody. But, in reply they were not pressurized by anybody. Hence, it reveals that, they want to plead guilty voluntarily.

2. Heard accused on the point of sentence. They submitted that, they are only earning member in their family. All other members of their family are dependent upon them. They have submitted that, this is the first offence committed by them. They will not engage themselves such type of offence again. They requested leniency may kindly be shown to them and less punishment be awarded to them.

3. Heard learned A.P.P. for the State. He has submitted that, the accused have committed alleged offence first time. Therefore, appropriate order may kindly be passed.

4. After going through record, as accused pleaded guilty hence, accordingly they are convicted for offence punishable under Section 12(a) of The Maharashtra Prevention of Gambling Act. As already discussed above, accused prayed for leniency on the point of sentence. After perusal of record, it is not a case of prosecution that, accused committed second time such type of offence. Considering the submission of accused i.e. they are only earning person in their family and this is the first offence as they committed. Therefore, it is a proper case to show leniency to accused. It also reveals from the record muddemal property i.e., two receipt book, one black color pen and one carbon are needs to be disposed off as worthless. Hence, considering the nature of offence and age of accused, I have pass following order-

- ORDER -

1. Accused No.1. **Sikandar Dadabhai Sayad,** 2] **Vaibhav Ramkisan Kajale,** 3] **Subhash Ramesh Surase,** are hereby convicted vide Section 252 of the Code of Criminal Procedure, 1973 for the offence punishable under Section 12(a) of The Maharashtra Prevention of Gambling Act, and they are hereby

sentenced to pay fine of Rs.300/- (Rupees Three Hundred only) each, in default of payment of fine, they shall suffer simple imprisonment of 03 days.

2. The seized cash amount of Rs.700/- (Rs. Seven Hundred) be forfeited to the Government.
3. Seized property M.R. No.135/2021, of Vivo Mobile be returned to its original owner after verifying documents of ownership.
4. Copy of the Judgment be given to the accused forthwith free of costs.

(Judgment Dictated and pronounced in open court.)

Place :- Yeola
Date :- 01/02/2024.

Sd/-
(A. S. Kambale)
Judicial Magistrate,F.C.
Yeola, Dist. Nashik.

CERTIFICATE

I am affirm that the contents of this PDF file Judgment are same, word to word, as per the original Judgment.

Name of the Stenographer :_ D. O. Sarode.

Name of the Court :_ Jt. Civil Judge [J.D.], Yeola.

Date of the Judgment :_ 01.02.2024

Judgment signed by the
presiding officer on :_ 01.02.2024

Judgment uploaded on :_ 02.02.2024
