

(B1)

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

Case No. : 584/PW/2018

The State ...

in CT Railway Police Station, Mumbai,
(C. R. No. 1450/2018)

... Complainant.

V/s.

Sayman John D' Cruz,
Age 38 yrs, Occ. plll.
Rm Room no 32, Ekta Welfare
Association, Chandelcar Road,
Kankariwada, Jogulghatti, V. V. Road,
Dominic Polghur.

... Accused

Charge U/sec. : 379 of Indian Penal Code.

JUDGMENT

(Delivered on 12.09.2018)

1) Today accused is produced before the Jail Court. The charge is framed against him below at Exh. 02 to which the accused pleaded guilty. 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 379 of Indian Penal Code were read over and explained to accused in vernacular to which he pleaded guilty voluntarily at Exh. 03. He has further submitted that he feels repentance for the act committed by him and he is poor person. He is only earning member in his family. On the above grounds prayed for leniency.

2) Perused the case papers. Heard accused in person. Considering the above facts, I hold that the accused is guilty of the offence punishable under section 379 of Indian Penal Code and I proceed to pass the following order.

ORDER

(01) The accused namely, Sayman John
D'cur, Plot- Room no. 32, Ekta Wagon,
Association, Chaudsari Road, Karkisar,
Wagapuri, Virar (E), District Palghar.
is hereby convicted for the offence punishable under
section 379 of Indian Penal Code
vide section 241 of the Code of Criminal Procedure,
1973. and sentenced to suffer Rigorous Imprisonment
for 04 (four) months

(02) Set off be given to the accused under section 428
of the Code of Criminal Procedure, 1973 from
28/8/18 till date.

(03) All the sentences passed 584/PW/18,
582/PW/18 and 583/PW/18
shall run concurrently.

(03) The muddemal property i. e. cash amount
of Rs. 2,000 (Rs. Two Thousand) be
handed over to the relatives Mr. Prayem
Shresthadas, Ruparelga, after due
verification.


(S. R. Narwade),
Metropolitan Magistrate,
36th Court, Mumbai Central,
Mumbai.

Date : 12.09.2018