

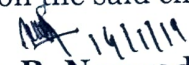
IN THE COURT OF 36th METROPOLITAN MAGISTRATE,
MUMBAI CENTRAL, MUMBAI.

Case No.: 778/PW/2018

Exh. 02

- 01) Date of commission of Offence : 27/08/2018
- 02) Date of Report : 11/09/2018
- 03) Name of the informant with present age and residence. : The State of Maharashtra, through Police Station Officer, Bandra Railway Police Station, Mumbai.
(C. R. No. 2313/2018)
- 04) Name of the accused with present age and residence. : Ajay Prakash Dodi alias Damber, Age : 30 Yrs., Occ. Nil, R/o.: Room No. 02, Babu Budhiya Dodi Chawl, Kajupada, Borivali (E), Mumbai.
- 05) Particulars of the Offence / Charge : That on 27.08.2018 at about 01.00 am was travelling from Ahmedabad to Bandra Terminus in up Saurashtra Janata Express you intending to take dishonestly mobile handset Redmi made, model No. Note-5 Pro. out of possession of the informant Mr. Rahul Bharatbhai Chaldiya without his consent, moved it in order to such taking and thereby committed an offence of theft, punishable under section 379 of Indian Penal Code and within my cognizance.

And, I hereby direct that you be tried by me on the said charge.


(S. R. Narwade)

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

Date : 14.01.2019

Statement of the accused

1) Have you received case paper/ police challan?

Ans. Yes.

2) Do you understood the particular of offence now read over and explained you in vernacular?

Ans. Yes.

3) Do you plead guilty?

Ans. Yes, I plead guilty.

Signature/ T.I. of the accused

Date : 14.01.2019


(S. R. Narwade)

Metropolitan Magistrate
36th Court, Mumbai Central,
Mumbai.

JUDGMENT

(Delivered on 14th day of January, 2019)

The accused voluntarily pleads guilty. Therefore, the accused is liable to be convicted. The accused submits that he is poor person. He further submits that only earning member of his family. Therefore, the accused prayed for leniency. Considering submissions of the accused, in my view, lenient view will have to be taken, while imposing sentence. Hence, I pass the order :

ORDER

(01) The accused Ajay Prakash Dodi alias Damber, R/o.: Room No. 02, Babu Budhiya Dodi Chawl, Kajupada, Borivali (E), Mumbai is convicted for the offence punishable under section 379 of the Indian Penal Code vide section 241 of the Code of Criminal Procedure and he is sentenced to suffer Rigorous Imprisonment for 06 (Six) months.


14/1/19

(02) Set off under section 428 of the Code of Criminal Procedure be given to the accused in sentence from 13.09.2018 to till date.

(03) The sentences passed in C. C. No. 774/PW/2018, 775/PW/2018, 777/PW/2018 and 778/PW/2018 and 458/PS/2018 of Bandra Railway Police Station shall also run concurrently.

(04) The seized mobile handset Redmi made, model No. Note-5 Pro. shall be retained by the informant Mr. Rahul Bharatbhai Chalodiya, R/o.: Anant Society, B-28, Bachalgan, Boyal, Ahmedabad, State Gujarat and his indemnity bond will be cancelled, after appeal period is over.

Date : 14.01.2019


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