

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

C. C. NO. 784/PW/2018.

Exh. :- ____

The State of Maharashtra,
Through Police Station Officer,
Railway Police Station, Bandra, Mumbai.
(C. R. No. 2733/2018).

.... Complainant.

V/s.

2 Sufiyan Mukhtiyar Dalvi.

Age :- 32 Years., Occupation :- Unemployed.

R/o. :- Bandra (W) Mumbai.

3 Asif Noornabi Khan.

Age :- 20 Years., Occupation :- Unemployed.

R/o. :- Bandra (E) Mumbai.

.... Accused.

Charge :- Punishable under section 401 of Indian Penal Code.

JUDGMENT

(Delivered on 05th day of September, 2022)

Today accused No.2 and 3 are present before the Court through video conferencing mode. Both accused voluntarily pleads guilty. I therefore, hold both accused guilty for the offence punishable under section 401 of Indian Penal Code and proceed to hear them on the point of sentence.

2. I have heard both accused on the point of sentence.

3. Both accused submits that they are poor persons and the only income source of their families and requests to take lenient view, while imposing sentence upon them.

4. Considering the nature of offence and the grounds put forth by both accused I am of the view that the following sentence would be sufficient to meet the ends of justice. Hence, I pass the order :

ORDER

- (01) The accused No.2. Sufiyan Mukhtiyar Dalvi, No.3. Asif Noornabi Khan are convicted vide section 241 of the Criminal Procedure Code for the offence punishable under section 401 of the Indian Penal Code and they are sentenced to suffer Imprisonment for which they already undergone each and to Pay fine of ₹ 2,000/- (Two Thousand) each in default of payment of fine both accused are sentenced to suffer Simple Imprisonment for 15 (Fifteen) Days each.
- (02) The period of detention, if any undergone by both accused during investigation / inquiry or trial of the case, be set off from the term of imprisonment imposed on them vide section 428 of the Code of Criminal Procedure.
- (03) The case to proceed against other accused No.1. Muskan Akila Aatar shakkh and No.4. Tanvir Mehmood Shaikh.
- (04) Copy of judgment be given to both accused free of cost.

Sd/-

(B. K. Gawande)

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

Date : 05/09/2022.
SRD.