

IN THE COURT OF 36th METROPOLITAN MAGISTRATE,
MUMBAI CENTRAL, MUMBAI.
Case No.: 667/PW/2018

Exh. 02

- 01) Date of commission of Offence : 17/08/2018
- 02) Date of Report : 17/08/2018
- 03) Name of the informant The State of Maharashtra,
with present age and : through Police Station Officer,
residence. Bandra Railway Police Station,
Mumbai. (C. R. No. 2097/2018)
- 04) Name of the accused with : Mohd. Faeem Asif Shaikh, Age :
present age and residence. 23 Yrs., Occ. Nil, R/o.: Garib
Nagar Zopadpatti, 42/A, Bandra
(E), Mumbai.
- 05) Particulars of the Offence / Charge 1] That on 17.08.2018 at about
06.10 am was boarding in up
CST local train in second class
ladies compartment at Bandra
railway station platform No. 6
you committed robbery of mobile
handset Samsung made, model
No. J-7 which was the property
of the informant Mrs. Damayanti
Kanti Parmar in her possession
and which you robbed her at
Bandra railway station between
sunset and sunrise and thereby
committed an offence punishable
under section 392 of the Indian
Penal Code and within my
cognizance.

.. 2 ..

2] Secondly, on the same date, time and place you have trespassed or entered in railway premises without lawful authority and misused railway property and thereby committed an offence punishable under section 147 of the Railways Act and with my cognizance.

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

Sd/-

(S. R. Narwade)

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

Date : 16.11.2018

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

Sd/-

(S. R. Narwade)

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

Date : 16.11.2018

JUDGMENT

(Delivered on 16th day of November, 2018)

The accused voluntarily pleads guilty. Therefore, the accused is liable to be convicted. The accused submits that he is poor person and only earning member of his family. He further submits that this is his first offence. 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 Mohd. Faeem Asif Shaikh, R/o.: Garib Nagar Zopadpatti, 42/A, Bandra (E), Mumbai is convicted for the offence punishable under section 392 of the Indian Penal Code vide section 241 of the Code of Criminal Procedure and he is sentenced to suffer Rigorous Imprisonment for 05 (Five) months.

(02) The accused is further convicted for the offence punishable under section 147 of the Railways Act vide section 241 of the Code of Criminal Procedure and he is sentenced to suffer Rigorous Imprisonment for 01 (One) month.

(03) Set off under section 428 of the Code of Criminal Procedure be given to the accused in sentence from 25.08.2018 till date.

(04) Both the sentences shall run concurrently.

Sd/-

(S. R. Narwade)

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

Date : 16.11.2018