

IN THE COURT OF METROPOLITAN MAGISTRATE,
12TH COURT, BANDRA, MUMBAI

(PRESIDED OVER BY JAYDEO Y. GHULE)

CASE NO.185/PW/2019 (DHARAVI POLICE STATION)

Exh. _____

CHARGE

3. Yeshwant Ranjit Vishwakarma @ Panna, Age.: 20 years,
Occ.: Nil, Res. at : Rabale, Thane.

I, Jaydeo Y. Ghule, Metropolitan Magistrate, 12th Court, Bandra, Mumbai charge you accused above name as follows :

Firstly, that you accused no.3 above named along with accused no.1. Sultan Ismail Shaikh and 2. Chetan Vyanktesh Kunchikurve in furtherance of your common intention in between 22.11.2018 at about 11.00 p.m. to 23.11.2018 at about 05.15 a.m. at PMGP Colony, Building No.4/C, 2nd Floor, Room No.211, Building no.4/A, Room No.103, Dharavi, Mumbai committed house breaking by night in the dwelling house of the informant Yalappa Lodha and witness Rajiya Mansoori with intention to commit theft and thereby committed an offence punishable U/Sec.457 r/w 34 of IPC and within my cognizance.

Lastly that, you above named accused no.3 along with accused no.1 and 2 in furtherance of your common intention on aforesaid time period and place intending to take dishonestly a certain movable property of Rs.65,000/- out of the possession of informant and witness without their consent, moved it in order to such taking and thereby committed an offence punishable U/Sec.380 r/w 34 of IPC and within my cognizance.

And I hereby direct that you be tried before me for the above offences.

Sd/-

(Jaydeo Y. Ghule)

Metropolitan Magistrate,
12th Court, Bandra, Mumbai.

Date : 30.03.2021

The contents of the above charge are read over and explained to the accused in vernacular to the accused in V.C. to which **accused pleaded guilty.**

Sd/-

(Jaydeo Y. Ghule)

Metropolitan Magistrate,
12th Court, Bandra, Mumbai.

Date : 30.03.2021

STATEMENT AND PLEA OF THE ACCUSED BELOW CHARGE
CASE NO.185/PW/2019 (DHARAVI POLICE STATION)

Exh. _____

3. Yeshwant Ranjit Vishwakarma @ Panna, Age.: 20 years,
Occ.: Nil, Res. at : Rabale, Thane.

1. Have you received Case Papers?

Ans : Yes.

2. Have you understood the charge?

Ans : Yes.

3. Do you plead guilty?

Ans : **Yes.**

Signature of the Accused no.3

Before Me,

Sd/-

Metropolitan Magistrate,
12th Court, Bandra, Mumbai.
30.03.2021

CASE NO.185/PW/2019 (DHARAVI POLICE STATION)

ORDER BELOW CHARGE

1. The present accused stands charge-sheeted by Dharavi Police Station in C.R. No.511/2018 for the offence punishable U/Sec.457, 380 r/w 34 of IPC. It is the case of the prosecution that the accused no.3 above named along with accused no.1. Sultan Ismail Shaikh and 2. Chetan Vyanktesh Kunchikurve in furtherance of their common intention in between 22.11.2018 at about 11.00 p.m. to 23.11.2018 at about 05.15 a.m. at PMGP Colony, Building No.4/C, 2nd Floor, Room No.211, Building no.4/A, Room No.103, Dharavi, Mumbai committed house breaking by night in the dwelling house of the informant Yalappa Lodha and witness Rajiya Mansoori with intention to commit theft and intending to take dishonestly a certain movable property of Rs.65,000/- out of the possession of informant and witness without their consent, moved it in order to such taking and thereby committed an offence punishable U/Sec.457, 380 r/w 34 of IPC and within my cognizance.

2. The accused is in jail custody since 24.11.2018. Since then he is in judicial custody. The case is at part heard. During V.C. he is ready to plead guilty. The accused send his voluntarily pleaded guilty application 12.09.2020 through post. I satisfied myself that his plea is voluntary. Therefore, as accused pleaded guilty it requires to pass conviction order. At the same time the request of the accused that he is in jail since more than 28 months needs to be considered. The accused is in jail custody for more than 28 months. Considering that accused is in jail for more than 28 months, lenient view needs to be taken. Therefore, considering all these aspects I proceed to pass the following order :

ORDER

- i) The accused no.3. Yeshwant Ranjit Vishwakarma @ Panna is convicted for the offence punishable U/Sec.457 of IPC as per section 241 of Cr. P.C. and sentenced to suffer **Simple Imprisonment for the period already undergone in jail.**
- ii) The accused no.3. Yeshwant Ranjit Vishwakarma @ Panna is convicted for the offence punishable U/Sec.380 of IPC as per section 241 of Cr. P.C. and sentenced to suffer **Simple Imprisonment for the period already undergone in jail.**
- iii) The substantive sentence of imprisonment of the above offences shall run concurrently as per section 427 of Cr.P.C.
- iv) The accused is in jail custody since 24.11.2018. Therefore, set off for the above period be awarded to the concern accused from the substantive jail sentence as per section 428 of Cr. P.C.
- v) Copy of the order be given free of cost to the accused.
- vi) Inform the jailer accordingly.

Date : 30.03.2021
srp

Sd/-
(Jaydeo Y. Ghule)
Metropolitan Magistrate,
12th Court, Bandra, Mumbai.