

IN THE COURT OF THE ADDL.CHIEF JUDICIAL MAGISTRATE,
09th COURT, BANDRA, MUMBAI.

C.C.No.775/PS/2013

PARTICULARS OF THE OFFENCE

THE PROSECUTION : The State of Maharashtra
(Khar Police Station)
(C. R. No. 06/2023)

Name of the accused : **1. Bharat Kumar Taneja,**
Age : 34 years, Occ.:- Hotel Owner,
R/at : Pratima Building, B/102, Galli
no.1, Kol Dongri, Andheri (E), Mumbai

That you along with other accused on 30/01/2013 at about 21.15 hours, at May Be Caffe Continental, near Sarvoay Library, Dr. Ambedkar Road, Khar (W), Mumbai, provided hukka to 8 lady customers by advertising, promotion, and sponsorship of tobacco products which bans smoking in public places, and regulates the sale of tobacco products near educational institutions and thereby committed an offence under section 4 punishable under Section 21 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003.

Secondly, That on above said date, time and place, you along with other accused provided food to the customers without a license for certain activities, including keeping certain articles and carrying on specific trades or operations which may pose a danger or create a nuisance and thereby committed an offence punishable under Section 394 r/w 471 of the Offences and Penalties under Mumbai Municipal Corporation Act 1888.

Thirdly, That on above said date, time and place, you along with other accused was found while keeping opened your shop beyond the prescribed time and without permission of competent authority and thereby committed an offence punishable U/Sec.33(W) of Maharashtra Police Act and within my cognizance.

sd/-

(V. U. Misal)

Addl. Chief Judicial Magistrate,
09th Court, Bandra, Mumbai.

Date : 01/11/2025

PLEA OF THE ACCUSED

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 accused

sd/-

(V. U. Misal)

Addl. Chief Judicial Magistrate,
09th Court, Bandra, Mumbai.

Date :01/11/2025

JUDGMENT

Accused no.1 **Bharat Kumar Taneja** is present. He voluntarily pleaded guilty by filing application. I have heard the accused. The accused is voluntarily pleading guilt. Hence, I accept the same. Heard the accused on the point of sentence. He prayed for leniency. Considering the nature of offence and submissions of the accused, I pass the following order :-

ORDER

1. Accused no.1 **Bharat Kumar Taneja** is convicted of the offence punishable under Section 4 punishable under Section 21 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 vide section 252 of the Code of Criminal Procedure and sentenced to pay a fine of Rs. 200/- (Rupees Two Hundred Only) in default the accused to suffer simple imprisonment of 1 day.
2. Accused no.1 is also convicted of the offence punishable under Section 394 r/w 471 of the Offences and Penalties under Mumbai Municipal Corporation Act 1888 vide section 252 of the Code of Criminal Procedure and sentenced to pay a fine of Rs.7,000/- (Rupees Seven Thousand Only) in default the accused to suffer simple imprisonment of 7 days.
3. Accused no.1 is further convicted U/Sec.252 of Cr.PC. for the offence punishable U/Sec.33 (W) of Maharashtra Police Act and sentenced to pay a fine of Rs.2,000/- (Rupees Two Thousand only), in default of payment of fine, the accused to suffer S.I. for 02 days.
4. Copy of the order be given free of cost to the accused.

(Judgment is pronounced in open Court.)

(V. U. Misal)
Addl. Chief Judicial Magistrate,
09th Court, Bandra, Mumbai.

Date :01/11/2025