

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,
AT KARMALA

1. Date of Offence : 17.04.2020
2. Date of Report : 17.04.2020
3. Name of Complainant : State of Maharashtra through,
Karmala Police Station.
4. Name & Address
of Accused : Ganesh Balasaheb Aalat
Age : 21 yrs., Occu. : Labour
R/o. S.T.Colony, Karmala,
Tal. Karmala, Dist. Solapur

Particulars of Offence :-

That you 17-04-2020 entered into Karmala Taluka without permission and thereby committed breach and violated prohibitory order of Government of Maharashtra and District Collector of Solapur and thereby spread the infection of Covid 19 which is dangerous to life and thereby committed an offence punishable under Section 269 of Indian Penal Code.

The contents of plea are read over & explained to the accused in Marathi.

Date :- 01/08/2021

J.M.F.C., Karmala.

Q. No.1 :- Have you received the copies of Police Papers?

Ans :- Yes.

Q.No.2 :- Have you understood the allegation now read over and explained to you in Marathi?

Ans :- Yes.

Q.No.3 :- Do you plead guilty?

Ans :- Yes.

Q.No.4 :- You are hereby cautioned that, your statement can be used against you for passing sentence on you. Are you still desirous to plead guilty?

Ans :- Yes.

Date :- 01/08/2021

J.M.F.C., Karmala.

Signature of Accused.

ORDER

1. The case is taken up in today's special drive for pleading guilty in petty offences. Accused was summoned to plead guilty as per section 206 of the Criminal Procedure Code, 1973. Accordingly, the accused appeared through learned advocate Shri.----- to plead guilty to the offence punishable under section 269 of the IPC. He has filed a *pursis* to that effect at Exh.03. Therefore, this Court is convinced that the accused is pleading guilty voluntarily, it does not appear he has any influence upon him/her. Hence, no hesitation to accept accused's plea of guilt.

2. Learned APP for State prayed for maximum fine which would deter accused from committing similar offences in the future. On the contrary, the learned advocate for the accused prayed for minimum fine citing the economic slowdown caused by the lockdown restrictions for controlling spread of COVID-19.

3. While imposing fine, this Court has to appreciate that the accused has saved valuable time of the Court by pleading guilty to the charge. At the same time, this Court cannot deny effect of lockdown restrictions on the financial conditions of the public in general. Apart from this, there are no criminal antecedents against the accused. This seems to be his first offence. Considering nature of offence, circumstances at the time of incident and attending circumstances, in such circumstances, it is desirable and justified by imposing exorbitant fine on the accused at this sensitive hour of financial crunch. Hence, a fine of Rs.200/- (rupees Two hundred only) for it would be reasonable towards punishment. Hence, proceed to pass following order.

FINAL ORDER

- 1) Accused No.1 is hereby convicted for the offences punishable under section 269 of the Indian Penal Code vide section 252 of the Code of Criminal Procedure.

- 2) For offence under section 269 of the Indian Penal Code, he shall pay Rs. 200/- (rupees Two hundred only) towards fine, in default, to suffer simple imprisonment for 01 day.
- 3) The bail bonds of the accused, if any, stands canceled.

Date: 01/08/2021

(R.A.Shivratri)
Judicial Magistrate, First Class,
Karmala

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order are same word to word as per the original Judgment/Order.

- a) Name of the Stenographer : N.B.Labade, Steno Grade-3
- b) Date of Judgment/Order : 01/08/2021
- c) Judgment/Order signed by
the Presiding Officer on : 01/08/2021
- d) Judgment/Order uploaded on : 06/08/2021