

MHRG030010652023



Sum. Cri.Case No. 731/2023

(State of Maharashtra through Deputy Director, Shri. A.B. Kharade V/s. Smt. Vijayalakshi P. Vaish)

CNR No. MHRG030010652023

RECORD OF SUMMARY CASE NO. 731/2023 TRIED IN A SUMMARY WAY UNDER CHAPTER XXII OF THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, RAIGAD-ALIBAG

Exh. No. 13/B

1. Date of commission of offence : On or before 08/04/2023
2. Date of complaint/Report : 05/07/2023
3. Name of Complainant with parentage age, residence etc. : At the instance of State Represented through A.B. Kharade, Dy. Director, Industrial Safety & Health, Raigad
4. Name parentage age and residence of Accused. : **Smt. Vijayalakshi P. Vaish**
Age : 64 years
Occupier of M/s. Vijayprit Industries, Survey No. 3, Hissa No. 4, Village Kumbhavali, Tal. Khalapur, Dist. Raigad
5. Particulars of the offence :

01. That, on or before 05/07/2023, you above named accused being Occupier of M/s. Vijayprit Industries, Survey No. 3,

Hissa No. 4, Village Kumbhavali, Tal. Khalapur, Dist. Raigad, used the premises as a Factory without obtaining license under the Factories Act and thereby contravened Rule 4(4) of the Maharashtra Factories Rules, 1963 punishable U/sec. 92 of the Factories Act, 1948 and within my cognizance.

02. Secondly, on the above mentioned date and place, you above named accused being Occupier of M/s. Vijayprit Industries, used the premises as factory without complying with the conditions subject to which plans are approved and thereby contravened Rule 4(3) of the Maharashtra Factories Rules, 1963 punishable U/sec. 92 of the Factories Act, 1948 and within my cognizance.

Alibag

Date : 09/03/2026.

(M. B. Attar)

Chief Judicial Magistrate,
Raigad Alibag.

PLEA OF THE ACCUSED

Que.1 : Have you received the copies of complaint papers ?

Ans. Yes.

Que.2 : Have you understood the particulars of offence, now read over and explained to you in vernacular ?

Ans. Yes.

Que.3 : Do you plead guilty?

Ans. Yes, I do plead guilty.

Before me

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(Signature of accused)

(M. B. Attar)

Chief Judicial Magistrate,
Raigad-Alibag.

Date : 09/03/2026 .

:: J U D G M E N T ::

1. Accused Smt. Vijayalakshi P. Vaish, Occupier of M/s. Vijaypriti Industries, Survey No. 3, Hissa No. 4, Village Kumbhawali, Tal. Khalapur, Dist. Raigad has filed the application (Exh. 12) thereby pleading her guilt for the offence committed under Rules 4(4) and Rule 4(3) of the Maharashtra Factories Rules, 1963 punishable U/sec. 92 of the Factories Act, 1948.

2. It is alleged that the accused used the premises as factory without obtaining license under the Factories Act and used the premise as factory without complying with the conditions subject to which plans are approved.

3. By filing application (Exh. 12), the accused has pleaded her guilt. The complainant in his say contended that the application may be allowed on imposing fine as per the provisions of Section 92 of the Factories Act, 1948.

4. The accused voluntarily pleaded guilty for the offence punishable U/sec. 92 of the said Act. Heard both the sides on the quantum of sentence. The learned advocate for accused submitted that it is her first offence and is technical in nature. She further submitted that all the shortcomings are now rectified.

5. This is not the offence in which any person is injured or death caused to anybody, therefore, by accepting the plea of guilt of the accused lenient view is taken and minimum punishment of fine

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V/s. Smt. Vijayalakshi P. Vaish)

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can be imposed vide section 92 of the said Act. Hence, I pass the following order.

:: ORDER ::

1. Accused Smt. Vijayalakshi P. Vaish, Occupier of M/s. Vijaypriti Industries, is hereby convicted for the offence committed under **Rule 4(4)** and **Rule 4(3)** of the Maharashtra Factories Rules, 1963 punishable U/sec. 92 of the Factories Act, 1948, vide section 275 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
2. She shall pay fine of Rs. **10,000/-** (Rs. Ten Thousand only), for the offence committed under **Rule 4(4)** of the Maharashtra Factories Rules, 1963 punishable U/sec. 92 of the Factories Act, 1948, in default of payment of fine she shall suffer simple imprisonment for 5 days.
3. She shall pay fine of Rs. **10,000/-** (Rs. Ten Thousand only), for the offence committed under **Rule 4(3)** of the Maharashtra Factories Rules, 1963 punishable U/sec. 92 of the Factories Act, 1948, in default of payment of fine she shall suffer simple imprisonment for 5 days.
4. After realization of fine amount, it shall be credited to the State Exchequer.

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5. Bail bonds of the accused stand surrendered.

Alibag
Date : **09/03/2026**.

(**M. B. Attar**)
Chief Judicial Magistrate,
Raigad Alibag.