

MHRG030012142023



Sum. Cri. Case No. 815/2023

(The State through Shri. K. S. Kendre,
Deputy Director, Industrial Safety and
Health Raigad Vs. Rekha Pavankumar
Jain)

CNR No. MHRG030012142023

**RECORD OF SUMMARY CASE NO. 815/2023 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. 12/B

1. Date of commission of offence : On or before 01/05/2023
2. Date of complaint/Report : 28/07/2023
3. Name of Complainant with parentage age, residence etc. : At the instance of State Represented through K. S. Kendre, Dy. Director, Industrial Safety & Health, Raigad
4. Name parentage age and residence of Accused. : **Rekha Pavankumar Jain**
Age : 45 years
Occupier of M/s. Balaji Agarbatti Works, House No. 345/2, Near Jhankar Cold Drinks, Raigad Road, Ladavali, Tal. Mahad, Dist. Raigad.
5. Particulars of the offence :

That, on or before 01/05/2023, you above named accused being Occupier of M/s. Balaji Agarbatti Works, House No.

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(The State Through Deputy Director,
K.S. Kendre V/s. Rekha Jain)

Exh. 12/B

345/2, Near Jhankar Cold Drinks, Raigad Road, Ladavali, Tal. Mahad, 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.

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

.....
(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 Rekha Pavankumar Jain, Occupier of M/s. Balaji Agarbatti Works, House No. 345/2, Near Jhankar Cold Drinks, Raigad Road, Ladavali, Tal. Mahad, Dist. Raigad has filed

the application (Exh. 9) thereby pleading her guilt for the offence committed under **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

3. By filing application (Exh. 9), 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 can be imposed vide section 92 of the said Act. Hence, I pass the following order.

:: ORDER ::

1. Accused Rekha Pavankumar Jain, Occupier of M/s. Balaji Agarbatti Works is hereby convicted for the offence committed under **Rule 4(4)** of the

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(The State Through Deputy Director,
K.S. Kendre V/s. Rekha Jain)

Exh. 12/B

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), in default of payment of fine she shall suffer simple imprisonment for 10 days.
3. After realization of fine amount, it shall be credited to the State Exchequer.
4. Bail bonds of the accused stand surrendered.

Alibag

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

(**M. B. Attar**)

Chief Judicial Magistrate,
Raigad Alibag.