

MHRG030029552024



**Sum. Cri. Case No. 1176/2024**

(The State through S. R. Thakare,  
Deputy Director, Industrial Safety and  
Health, Raigad Vs. Premprasad  
Shivprasad Varma )

**CNR No. MHRG030029552024**

**RECORD OF SUMMARY CASE NO. 1176/2024 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. 10/B**

1. Date of commission of offence : 30/08/2024
2. Date of complaint/Report : 29/11/2024
3. Name of Complainant with parentage age, residence etc. : At the instance of State Represented through S.R. Thakare, Dy. Director, Industrial Safety & Health, Raigad
4. Name parentage age and residence of Accused. : **Premprasad Shivprasad Varma**  
Age : 58 years  
Occupier of M/s. S P R Chemopharma Pvt. Ltd., Plot No. A-34/1, MIDC, Patalganga, Tal. Khalapur, Dist. Raigad.
5. Particulars of the offence :

01. That, on 30/08/2024, you above named accused being Occupier of M/s. S. P. R. Chemopharma Pvt. Ltd., Plot No. A-34/1, MIDC,

Patalganga, Tal. Khalapur, Dist. Raigad 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.

02. Secondly on the above mentioned date and place, you above named accused being Occupier of M/s. S. P. R. Chemopharma Pvt. Ltd., failed to examine corrosive storage tanks in your factory, once in a year and also failed to produce register of corrosive storage tanks examination of the pipeline and thereby contravened the provisions of **Clause 10(c) of Schedule XII of Rule 114** of the Maharashtra Factories Rules, 1963 punishable **U/sec. 92** of the Factories Act, 1948 and within my cognizance.

03. Thirdly, on the above mentioned date and place, you above named accused being Occupier of M/s. S. P. R. Chemopharma Pvt. Ltd., failed to report the incident of accident to Inspector within four hours by telephone, special messenger, Fax, E-mail or SMS and thereby contravened the provisions of **Rule 115(1)** 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 Premprasad Shivprasad Varma, Occupier of M/s. S. P. R. Chemopharma Pvt. Ltd., Plot No. A-34/1, MIDC, Patalganga, Tal. Khalapur, Dist. Raigad has filed the application (Exh. 8) thereby pleading his guilt for the offence committed under Rule 4(3) of the Maharashtra Factories Rules, 1963, Clause 10(c) annexed to Schedule XII of Rule 114 of the Maharashtra Factories Rules, 1963 and Rule 115(1) of the Maharashtra Factories Rules, 1963 punishable under section 92 of the Factories Act, 1948.

2. It is alleged that the accused used the premises as factory without complying with the conditions subject to which plans are approved. The accused failed to examine corrosive

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**S.C.C.No. 1176/2024**

(The State Through Deputy Director,  
Shri. Thakare V/s. Premprasad Varma)

**Exh. 10/B**

storage tanks in your factory, once in a year and also failed to produce register of corrosive storage tanks examination of the pipeline. The accused being Occupier of the factory failed to report the incident of accident to Inspector within four hours by telephone, special messenger, Fax, E-mail or SMS.

3. By filing application (Exh. 8), the accused has pleaded his 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 his first offence and is technical in nature. He 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 Premprasad Shivprasad Varma, Occupier of M/s. S. P. R. Chemopharma Pvt. Ltd. is hereby convicted for the offence committed under Rule 4(3) of the Maharashtra Factories Rules, 1963, Clause

10(c) annexed to Schedule XII of Rule 114 of the Maharashtra Factories Rules, 1963 and Rule 115(1) of the Maharashtra Factories Rules, 1963 punishable under section 92 of the Factories Act, 1948, vide section 275 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. He shall pay fine of Rs. **15,000/-** (Rs. Fifteen Thousand only), in default of payment of fine he 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.