

IN THE COURT OF METROPOLITAN MAGISTRATE,
36th COURT MUMBAI CENTRAL, MUMBAI.

C. C. NO. 262/PW/2023.

Exh. :- ____

The State of Maharashtra,
Through Police Station Officer,
Mumbai Central Railway Police Station, Mumbai.
(C. R. No. 152/2023).

.... Complainant.

V/s.

Hasan Anvar Shaikh
Age :- 55 Years., Occupation :- NIL.
R/o. :- Dharavi, Mumbai.

.... Accused.

Charge :- Punishable under section 379 of Indian Penal Code.

JUDGMENT

(Delivered on 16th day of June, 2023)

Today the accused is present before the Court through video conferencing mode. The accused voluntarily pleads guilty. I therefore, hold accused guilty for the offence punishable under section 379 of Indian Penal Code and proceed to hear him on the point of sentence.

2. I have heard the accused on the point of sentence.

3. The accused submits that he is poor person and the only income source of his family and requests to take lenient view, while imposing sentence upon him.

4. Considering the nature of offence and the grounds put forth by the accused I am of the view that the following sentence would be sufficient to meet the ends of justice. Hence, I pass the order :

ORDER

(01) The accused viz. Hasan Anvar Shaikh is convicted vide section 241 of the Criminal Procedure Code for the offence punishable under section 379 of the Indian

Penal Code and he is sentenced to suffer Rigorous Imprisonment for 04 (Four) Months.

(02) The period of detention, if any undergone by the accused during investigation / inquiry or trial of the case, be set off from the term of imprisonment imposed on him vide section 428 of the Code of Criminal Procedure.

(03) The seized muddemal property i.e. Realme Model No. C-3 is already returned to the authorized person i.e. informant. Indemnity bond executed by informant stands cancelled after the appeal period is over.

(04) The seized muddemal property i.e. HP DVR- R 16X4.7 GB Data 120 min Video be destroyed, as per rules, after the appeal period is over.

(05) Copy of judgment be given to the accused free of cost.

Sd/-

(B. K. Gawande)

Metropolitan Magistrate,

36th Court, Mumbai Central, Mumbai.

Date : 16/06/2023.