

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

C. C. NO. 159/PW/2023.

Exh. :- ____

The State of Maharashtra,
Through Police Station Officer,
Bandra Railway Police Station, Mumbai.
(C. R. No. 97/2023).

.... Complainant.

V/s.

Suleman Harun Shaikh @ Sulli
Age :- 21 Years., Occupation :- Nil.
R/o. :- Bandra, Mumbai.

.... Accused.

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

JUDGMENT

(Delivered on 12th day of May, 2023)

Today the accused is present before the Court through video conferencing. 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. Suleman Harun Shaikh @ Sulli 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 03 (Three) months and to Pay fine of Rs. 5,000/- (Five Thousand) in default of payment of fine accused is sentenced to suffer Simple Imprisonment for 01 (One) Month.

- (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 sentence shall run concurrently in C. C. No. 257/PW/2023, 280/PW/2023, and 216/PW/2023 vide section 427 of Criminal Procedure Code.
- (04) The seized muddemal property is already returned to the authorized person i.e. informant. Indemnity bond executed by informant stands cancelled after appeal period is over.
- (05) Copy of judgment be given to accused free of cost.

Sd/-

(B. K. Gawande)

Date : 12/05/2023.
ASS.

Metropolitan Magistrate,
36th Court, Mumbai Central, Mumbai.