

**SUBSTANCE OF ACCUSATION UNDER CHAPTER XXI AND S.
274 OF THE BHARATIYA NAGARIK SURAKSHA SANHITA 2023.**



CNR No. MHSI070002892026

S.C.C. No. 123/2026

Exhibit No. 3

I, M.K.Fakih Judicial Magistrate First Class,
Malvan, do hereby state to you

Ajit Yuvraj Bhalekar,
Age 46 years, Occu.-Driver
R/o. Sangawade, Tal. Karveer,
Dist. Sindhudurg.

as follows :

Firstly, that you accused person on 24/05/2026,
at about 9.29 p.m., on Malvan to Kasal public road at
Kumbharmath, Tal. Malvan, drove a vehicle i.e. bus bearing
No. MH-14-CW-3272 under the influence of alcohol to such
an extent as to be incapable of exercising proper control
over the vehicle and thereby you have committed an
offence punishable under **Section 185** of Motor Vehicle Act
and within my cognizance.

And I hereby direct that you be tried by this
court for the said offence.

Sd/-

Place : Malvan

Date: 01/06/2026

M.K.Fakih

Judicial Magistrate F.C., Malvan

Plea of the accused :

Q.1 : Have you received the copies of the police papers ?

Ans : Yes

Q.2 : Have you understood the particulars of the offence
which is read over and explained to you ?

Ans : Yes

Q.3 : Do you plead guilty ?

Ans : I plead guilty.

(Signature/T.I. of the accused)

Sd/-

Place : Malvan

M.K.Fakih

Date: 01/06/2026

Judicial Magistrate F.C., Malvan

JUDGEMENT

(Delivered on 01/06/2026)

The accused person is pleaded guilty after the particulars of the offence was read over and explained to him in vernacular. I explained to him the following things

- a) that the offence under section section 185 of the Motor Vehicle Act is punishable with imprisonment for a term which may extend to six months, or with fine of ten thousand rupees, or with both.

- b) that if he pleads guilty he will waive his right of trial.
- c) that he is not bound to plead guilty and if he does so he will have a conviction on his record.
- d) that if he pleads guilty he will lose his right to appeal.

[2] He has stuck to his plea of guilty even after making him aware of the consequences. In these circumstances, I am satisfied that his plea is free and voluntary. Hence, I accept his plea and convict him.

[3] Heard the accused person and the learned A.P.P. The accused person submitted that benefit of Probation of Offenders Act be extended to the accused person. It appears from the record that this is the first offence of the accused person. However, the offence is amounting to rashness and negligence. Hence, I am not of the opinion to extend the benefit of Probation of Offenders Act to the accused person. However, considering the facts of the present case and the age of accused person a lenient view can be taken against the accused person. Hence, I am imposing sentence of fine only against the accused person. Therefore, I proceed to pass the following order.

ORDER

1. The accused Ajit Yuvraj Bhalekar is convicted of the offence punishable under Section 185 of the Motor Vehicle Act as per Section 275 of Bharatiya Nagarik Suraksha Sanhita and he is sentenced to pay fine of Rs.10,000/- (In words rupees Ten Thousand only). In default, he is sentenced to suffer simple imprisonment for one month.
2. Copy of order be furnished to the accused person free of costs.

(Dictated and pronounced in open Court)

Sd/-

Place : Malvan
Date: 01/06/2026

M.K.Fakih
Judicial Magistrate F.C., Malvan