

**IN THE COURT OF PAWAN KUMAR^(UID No. HR0332), SUB DIVISIONAL
JUDICIAL MAGISTRATE, HATHIN**

CNR No. : HRPLB1-001539-2023
C.I.S Number : CHA/111/2023
Date of Institution : 11.09.2023
Date of Decision : 09.03.2024

State Versus Pintu son of Dalbir Singh, age 32 years,
resident of Ward No. 1, Hathin, Tehsil
Hathin, District Palwal.

----- Accused.

F.I.R. Number : 388 dated 25.09.2022
Under Section : 72-C(A) 4-20 Excise
Act.
Police Station : Hathin

Present : Ld. APP for the State
 Accused Pintu on bail with Sh. D.K. Rajput, Advocate.

JUDGMENT:

The accused named above has been sent up by S.H.O.
Police Station Hathin, to stand trial for commission of offence
punishable under Section 72-C(A) 4-20 Excise Act.

FACTS OF THE PROSECUTION CASE:

2. In brief, the prosecution case, as per HC Dinesh Kumar,
contents of the same are that on 25.09.2022, Bus Stand, PS Hathin,
accused was found consuming liquor, at a public place and destroyed
the quarter by throwing the same on road. Accused was apprehended
on the spot. Statement of the witness (as envisaged under Section 161
of Cr.P.C.) was recorded. After completion of investigation, challan
was presented before the Court.

(PAWAN KUMAR)^(UID No. HR0332)
Sub Divisional Judicial Magistrate,
Hathin/09.03.2024.

3. On receipt of challan, its copy was supplied to the accused, free of costs, as envisaged u/s 207 of Cr.P.C.

4. On finding a prima facie case under Section 72-C(A) 4-20 Excise Act, against the accused and he was accordingly charge-sheeted by this Court, vide order dated 11.09.2023, accordingly to which the accused did plead guilty and not claimed trial and the present case was posted for prosecution evidence.

5. Today in National Lok Adalat, accused expressed his willingness to confess his guilt. I have explained to the accused that he is not bound to make confession and that if any confession is made by him then it could be used against him as evidence but the accused has stated at bar that he is making confession voluntarily without any pressure or inducement. The confessional statement of accused has also been recorded to that effect. Therefore, I have the reason to believe that the confession by accused has been made voluntarily. Accordingly, accused is held guilty and convicted for the commission of offence under Section 72-C(A) 4-20 Excise Act. Let the convict be heard on question of sentence after some time.

Pronounced in NLA:
Hathin/09.03.2024.

(Pawan Kumar)
Presiding Officer-cum-
SDJM/National
Lok Adalat, Hathin
(UID No:HR0332)

State Versus Pintu

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CNR No. : HRPLB1-001539-2022
C.I.S Number : CHA/111/2022

Present : Ld. APP for the State
Accused Pintu on bail with Sh. D.K. Rajput, Advocate.

ORDER OF QUANTUM OF SENTENCE:

I have heard the accused on the quantum of sentence.

Accused confessed his guilt without any inducement and pressure and also stated that he shall never do this type of work again. A lenient view may kindly be taken against him.

2. Keeping in view, the nature of offence, circumstances of the case and the submission of accused, the Court is of the considered view that lenient view be taken against the present accused, accused Pintu is sentenced to pay a fine of Rs. 1000/-for the commission of offence punishable under Section 72-C(A)4-20 Excise Act. In default of payment of fine, the accused has to undergo simple imprisonment for till rising of the Court. Fine paid. File be consigned to record room after due compliance.

Pronounced in NLA: (Pawan Kumar)
Hathin/09.03.2024. Presiding Officer-cum-
SDJM/National
Lok Adalat, Hathin
(UID No:HR0332)

Note:- All three pages of this judgment/order have been duly dictated, checked and signed by me.

(Pawan Kumar)
Presiding Officer-cum-
SDJM/National
Lok Adalat, Hathin
(UID No:HR0332)

(PAWAN KUMAR)^(UID No. HR0332)
Sub Divisional Judicial Magistrate,
Hathin/09.03.2024

State Versus Pintu

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CNR No. : HRPLB1-001539-2022
C.I.S Number : CHA/111/2022

Present : Ld. APP for the State
Accused Pintu on bail with Sh. D.K. Rajput, Advocate.

File put up in National Lok Adalat. Arguments heard on quantum of sentence. Heard. Vide my separate judgment/order of even date, the accused Pintu is been held guilty and convicted under Section 72-C(A) 4-20 Excise Act, in the manner as discussed therein. Accused be released forthwith in this case. File be consigned to record room after due compliance.

Pronounced in NLA:
Hathin/09.03.2024

(Pawan Kumar)
Presiding Officer-cum-
SDJM/National
Lok Adalat, Hathin.
(UID No:HR0332)

T.C. Deshwal,
Member, National Lok Adalat
Hathin.

Suman
Stenographer

(PAWAN KUMAR)^(UID No. HR0332)
Sub Divisional Judicial Magistrate,
Hathin/09.03.2024