

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

C. C. NO. 142/PW/2018.

Exh. :- ____

The State of Maharashtra,
Through Police Station Officer,
Railway Police Station, Bandra, Mumbai.
(C. R. No. 1430/2017).

.... Complainant.

V/s.

Mohd. Tarik Mohd. Salim Shaikh.
Age :- 22 Years., Occupation :- Unemployed.
R/o. :- Khar (E), Mumbai.

..... Accused.

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

JUDGMENT

(Delivered on 19th day of August, 2019)

Today accused is produced before court in response to Production Warrant. The accused voluntarily pleads guilty. Therefore, the accused is liable to be convicted. The accused submitted that he is poor person. The accused further submitted that he is only earning member of his family. Therefore, the accused prayed for leniency. It appears accused jumped over the bail, hence, N.B.W. was issued against him and thereafter proclamation was also issued. It was reported that accused is in jail, in connection of other crime, so Production Warrant was issued. Considering submissions of the accused, in my view, lenient view will have to be taken, while imposing sentence. Hence, I pass the order :

ORDER

(01) The accused viz. Mohd. Tarik Mohd. Salim Shaikh, is convicted for the offence punishable under section 379 of the Indian Penal Code vide section 241 of the Code of

Criminal Procedure and he is sentenced to suffer Rigorous Imprisonment for 03 (Three) Months.

- (02) Set off under section 428 of the Code of Criminal Procedure be given to the accused in sentence from 09/12/2017 to 21/12/2017.
- (03) The seized muddemal i.e. mobile handset of Lenovo made, Model No. Vibe X-3, White Coloured, I.M.E.I. No.867881021717272 and 867881021717280 already returned to the informant viz. Aashish Diwakar Dwivedi, R/o. : Building No.1201, Unic Heights, Poonam Garden, N. K. Stone, Mira Bhayander Road, Mira Road, (E), Dist. Thane. Indemnity bond executed by informant stands cancelled.

Sd/-

(G. P. Bawaskar)

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

Date : 19/08/2019.
SRD.