

Exh.  
No.03

**IN THE COURT OF SMT. D.K. SAHU, JUDICIAL MAGISTRATE**  
**FIRST CLASS, COURT NO.3, CHANDUR BAZAR**

Date of commission of offence : 06/10/2022

Date of Registration of complaint : 06/10/2022

Name of the Informant /Complainant : The State of Maharashtra  
with Parentage, age and Through Police Station  
place of residence. Officer, Bramhanwada Thadi  
Tah. Chandur Bazar,  
Dist. Amravati

Name of the accused with : **Shaikh Chotu Shaikh Jamal**  
parentage age and place of Age : 40 Yrs. Occ. Labour  
residence R/o Bramhanwada Thadi,  
Tq. Chandur Bazar,  
Dist – Amravati.

**Particulars of offence :**

That, on 06/10/2022 in between 14.00 to 14.30 hrs, at Bramhanwada Thadi road, you accused caused obstruction on public way by parking your Vehicle bearing Regn. No.MH-27/BW3542 and thereby you have committed an offence punishable u/s 283 of the Indian Penal Code, and within the cognizance.

Date : 14/10/2022  
Place : Chandur Bazar.

(Smt. D. K. Sahu)  
Judicial Magistrate First Class  
Court No.3, Chandur Bazar

**Plea of Accused**

**Q. 1 :-** Have you understood the particulars now read over and explained to you in vernacular ?

**Ans :-** Yes.

**Q. 2 :-** Have you received copies of the case papers ?

**Ans :-** Yes.

**Q. 3 :-** Do you want free legal aid counsel?

**Ans :-** No.

**Q. 4 :-** Do you plead guilty ?

**Ans :-** Yes. The accused has moved pursis at Exh.2 under which he wants to plead guilty. In order to ascertain the voluntariness of the accused, I have examined him and posed certain questions to him which are as follows;

**Ques.i:-** Have you understood that if you plead guilty, then you will loose your right to contest the case, cross- examine the witnesses and lead evidence?

**Ans: YES.**

**Ques.ii:-** Have you understood that the punishment prescribed for the offence under section 283 of IPC is fine which may extend to Rs.200/- ?

**Ans: YES.**

**Ques.iii:-** Have you understood that on your pleading guilty, you will not earn any incentive for lessor punishment on that count only ?

**Ans: YES.**

**Ques.iv:-** Have you understood that the conviction may adversely affect your employment and professional career in future?

**Ans: YES.**

**Ques.v:-** Do you know after pleading guilty, you will loose your right to appeal against conviction except on point of sentence?

**Ans: YES.**

**Ques.vi:-** Do you want to plead guilty despite of the aforementioned facts?

**Ans: YES.**

Date : 14/10/2022

Place : Chandur Bazar.

**(Smt. D. K. Sahu)**

Judicial Magistrate First Class  
Court No.3, Chandur Bazar

.....  
(Signature of accused)

### **J U D G M E N T**

(Delivered on this 14<sup>th</sup> day of October 2022)

In the present case, accused stands prosecuted for the offence punishable **under section 283 of Indian Penal Code**. The accused appeared before me and particulars under section 283 of I.P.C. were recorded by me against the accused. The said particulars were read over and explained to the accused in his vernacular. The accused pleaded guilty to the same. I told him the consequences of pleading guilty as mentioned above. Even though the accused is ready to accept his guilt. He has also moved pursis (Exh.02) and thereby intimated that he is ready to plead guilty. From the facts and circumstances it appears that the accused has voluntarily pleaded guilty. Therefore, after accepting his voluntariness to plead guilty, I am inclined to convict the accused. I have heard the

accused and learned A.P.P. on the point of sentence. The accused stated that he is the sole bread earner of his family. Thus, he prayed for leniency in awarding the fine. There is nothing on record to show that accused is habitual offender. Considering the first offence of accused and in view of the aforesaid reason, I proceed to pass following order :

**ORDER**

1. The accused **Shaikh Chotu Shaikh Jamal** is hereby convicted for the offence punishable under section 283 of I.P.C. vide section 252 of the Code of Criminal Procedure.
2. The accused is sentenced to pay fine of **Rs.200/-** (Two hundred rupees only) for offence under section 283 of the I.P.C. in default of payment he shall undergo simple imprisonment of **7 days**.

**(Pronounced in open court.)**

Date : 14/10/2022

Place : Chandur Bazar.

**(Smt. D. K. Sahu)**

Judicial Magistrate First Class

Court No.3, Chandur Bazar