

Accused is present, supplied. When he is examined under section 251 of the code of criminal procedure with regard to the acquisition made in the charge sheet and he voluntarily pleaded guilty.

The accused is informed that he is not bound to admit the guilt and the same will be used against him. However, he voluntarily admitted the guilty stating that there is no force or coercion. This court is satisfied that the admission of the accused person is voluntary and free from any force or coercion.

Accordingly, the accused is found guilty for the offence under section 159 of the Indian Rly. Act and convict under Sec. 252 of code of criminal procedure. When the accused is questioned with regard to quantum of sentence, he pleaded mercy of the court stating that he is poor, he along with the family members will be put to much hardship and irreparable loss and prayed the court to take lenient view.

This case is not a fit case to invoke the provisions of prohibitions and offenders act considering the submissions made by the accused, his pitiable situation, this court is inclined to take lenient view, by sentencing to pay fine accordingly, the accused is sentence to pay a fine of Rs. 200/- for the offence punishable under section 159 of Indian Railway Act. In default of payment of fine suffer simple imprisonment of a period of 10 days.


VI MM for Railways/VSKP.