

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

Case No.: 803/PW/2018

Exh. 02

- 01) Date of commission of Offence : 30/11/2018
- 02) Date of Report : 30/11/2018
- 03) Name of the informant with present age and residence. : The State of Maharashtra, through Police Station Officer, Mumbai Central Railway Police Station, Mumbai.
(C. R. No. 2435/2018)
- 04) Name of the accused with present age and residence. : Mohd. Asif Nyamatullah Qureshi, Age : 32 Yrs., Occ. Nil, R/o.: Room No. 110, 1st Floor, Rihan Building, Rehmat Nagar, Nalasopara (E), District Palghar.
- 05) Particulars of the Offence / Charge : That on 30.11.2018 at about 21.26 hours at Dadar Western railway station platform No. 3 you intending to take dishonestly wallet containing cash amount of Rs. 2,800/- (Two Thousand Eight Hundred), Aadhar Card and Attendance Card total value of Rs. 2,850/- (Two Thousand Eight Hundred and Fifty) out of possession of the informant Mr. Anilkumar Umakant

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Vishwakarma without his consent, moved it in order to such taking and thereby committed an offence of theft, punishable under section 379 of Indian Penal Code and within my cognizance.

And, I hereby direct that you be tried by me on the said charge.

Sd/-

(S. R. Narwade)

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

Date : 14.01.2019

Statement of the accused

1) Have you received case paper/ police challan?

Ans. Yes.803

2) Do you understood the particular of offence now read over and explained you in vernacular?

Ans. Yes.

3) Do you plead guilty?

Ans. Yes, I plead guilty.

Sd/-

(S. R. Narwade)

Metropolitan Magistrate
36th Court, Mumbai Central,

Signature/ T.I. of the accused

Date : 14.01.2019

JUDGMENT

(Delivered on 14th day of January, 2019)

The accused voluntarily pleads guilty. Therefore, the accused is liable to be convicted. The accused submits that he is poor person and only earning member of his family. He further submits that this is his first offence. Therefore, the accused prayed for leniency. 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 Mohd. Asif Nyamatullah Qureshi, R/o.: Room No. 110, 1st Floor, Rihan Building, Rehmat Nagar, Nalasopara (E), District Palghar 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(Months) months.

(02) Set off under section 428 of the Code of Criminal Procedure be given to the accused in sentence from 01.12.2018 to till date.

(03) The sentences passed in C. C. Nos. 802/PW/2018 and 803/PW/2018 of MCT Railway Police Station shall run concurrently.

(04) The seized wallet containing cash amount of Rs. 2,800/- (Two Thousand Eight Hundred) be handed over to the informant Mr. Anilkumar Umakant Vishwakarma, R/o.: Jai Bajrang Bali Chawl, Bausath Pada, Nalasopara (E), District Palghar.

Sd/-
(S. R. Narwade)
Metropolitan Magistrate,
36th Court, Mumbai Central,
Mumbai.

Date : 14.01.2019