

S.C. 178 of 2025

In the Court of the Ld. Addl. Sessions Judge, FTC 3rd Court, Basirhat.

Present:-

Sri Sanjay Naskar(**WB01025**)

Addl. Sessions Judge, F.T.C. 3rd Court, Basirhat.

Order no. 9 dt. 30.08.2025

Accused Probir Sardar file hazira but found absent on call. Surety is directed to produce the accused on the date fixed.

Accused Tanvir Sheikh is produced through V.C. and identified before the court by the Data Entry Operator duly authorized by the Superintendent of the Correctional Home. He is taken into custody and remanded to J.C. Ld. Advocate for the accused Tanvir Sheikh files a petition praying for pleading guilty.

Heard both sides.

Perused the case record, charge sheet and the documents filed.

It is alleged that on 10.12.2024 in between 11:30 to 12:50 hours, at BP No. 13/4R-3, BOP- Tarali under Swarupnagar P.S., North 24 Parganas, B.S.F. party apprehended the accused person namely, Tanvir Sheikh who was illegally crossed the IB and on being asked, he failed to produce any valid documents or travel documents to enter into India.

On perusal of the case record, charge sheet and the documents filed, this Court feels, there are sufficient materials for presuming, the accused person namely, Tanvir Sheikh has committed the offence punishable under section 14A(b) of Foreigner Act and sec. 12 P.P. Act respectively. The substance of accusation of the offence punishable under section 14A(b) of Foreigners Act and Sec. 12 P.P. Act is read over and explained to the accused Tanvir Sheikh to which accused Tanvir Sheikh pleads guilty by saying "ami doshi". The plea of guilty appears to be voluntarily made and the same is thus accepted. Accordingly, the accused named Tanvir Sheikh is convicted u/s 229 of Cr.P.C.

The accused Tanvir Sheikh stated that he is very poor person and he was brought in this country by some unscrupulous person on the pretext of giving him job; however he prays mercy. In this facts and situation of the case, this Court finds it appropriate to pass the minimum sentence and impose minimum fine prescribed in sec. 14A(b) of Foreigners Act and Sec. 12 P.P. Act against the accused Tanvir Sheikh. Accordingly, the accused named Tanvir Sheikh is convicted u/s 229 of Cr.P.C for committing the offence u/s 14A(b) of Foreigners Act and sec. 12 P.P. Act on his guilty plea and sentenced to suffer rigorous imprisonment for a term of 02(two) years and to pay fine of Rs. 10,000/-(ten thousand) only failing which he is to suffer S.I. for 01(one) month for committing the offence u/s 14A(b) of Foreigners Act.

He is also sentenced to pay fine of Rs. 1000/-(one thousand) only for committing the offence u/s 12 of P.P.Act failing which he is to suffer S.I. for 05(five) days.

The period of detention already undergone by the accused is to be set off against the sentence of imprisonment in view of sec. 428 of Cr.P.C.

Since the convict Tanvir Sheikh is a foreign national he shall be deported back to his home country in accordance with procedure laid down in law on completion of the sentence.

Let the mobile seized from the possession of the accused Tanvir Seikh be destroyed according to law and Indian currency of Rs.3000/- seized from the possession of Tanvir Seikh be forfeited to the State in accordance with law.

Fix 09.03.25 for production of accused Probir Sardar by surety and consideration of charge.

Dictated & Corrected by me.

Addl. Session Judge,
Fast Track 1st Court, Basirhat.

Sanjay Naskar.
J.O.Code WB01025
Addl. Session Judge,
Fast Track 1st Court, Basirhat.

S.C. No. 178 of 2025

Page no.

West Bengal Form No.3959
High Court Criminal Form No.(p)39

S.C. No. 178 of 2025

CHARGES WITH ONE HEAD
[No. XXVIII (II), SCHEDULE V, ACT, 1808]
[Sections 221,222, 223, Code of Criminal Procedure]

Name and office of I, Sanjay Naskar, Additional Sessions Judge, Fast
Track 3rd Court at Basirhat, North 24 Parganas.

hereby charge you namely

as follows :

Accused named
Tanvir Sheikh

Fristly -That you, on 10.12.2024 in between 11:30 to 12:50 hours,at BP No. 13/4R-3, BOP- Tarali under Swarupnagar P.S., North 24 Parganas entered into India without any valid passport or travel documents and that you thereby committed an offence punishable u/s **14A(b)** of the **Foreigners Act** and within the cognizance of this court.

Secondly –that you on the same date, time and place you fail to produce for inspection your passport or travel document to enter into India and that you thereby committed an offence punishable u/s **12 of the PP Act** and within the cognizance of this court.

That the contents of the said charges is read over and explained to him to which he pleads guilty by saying “ami doshi”.

And, hereby direct that you be tried by the said Court on the said charges.

Dated this 30th day of August, 2025

Additional Sessions Judge,
Fast Track 3rd Court, Basirhat,
North 24 Parganas