

**IN THE COURT OF GURKIRAN SINGH, PCS,
JUDICIAL MAGISTRATE IST CLASS, JALANDHAR.
UID NO. PB0412**

Case No. : CHI/1373/2020
C.N.R. No. : PBJL030093482020
Date of Institution : 02.07.2020
Date of Decision: : 23.12.2020

State Versus Harjinder Singh @ Rinku S/o Jasvir Singh, R/o
Village Budhiana, Jalandhar.

..... Accused.

FIR No. 135 dated 21.05.2020
Under Sections 188 IPC
P.S Rama Mandi, Jalandhar.

Present: Sh. Gagandeep, APP for the State
Accused on bail with counsel

JUDGMENT:

1. The above named accused has been sent up by the SHO, Police Station Rama Mandi, Jalandhar to face trial U/s 188 IPC.
2. Briefly stated, the prosecution case is that on 21.05.2020 ASI Bhajan Ram alongwith police officials were patrolling on private vehicles and were present at Dhilwan Chowk for duty regarding implementation of order No. 9021-9040/MC-4/MA dated 18.05.2020 issued by the District Magistrate, Jalandhar regarding implementation of curfew for stopping the spread of corona-virus, where they saw one person coming from Kaki Pind side without mask. He was stopped by the police party and was asked as to why he was violating the orders of District Magistrate, Jalandhar. The said person could not provide any document regarding his

venturing out in public. So, he was arrested and present FIR was registered against him. Statement of witnesses was recorded. After completion of other necessary formalities of investigation, challan was prepared and presented against the accused in the court.

3. On presentation of challan against the accused persons, copies of challan as envisaged under section 207, Cr.P.C. were supplied free of cost to the accused.

4. From the perusal of the report under Section 173 Cr.PC, documents appended thereto, statements of witnesses and other material placed on the record, a prima-facie offence punishable under section 188 IPC was made out against the accused. Consequently, charge under the said section was framed against the accused, to which accused plead guilty and did not claim trial.

5. The accused namely Harjinder Singh @ Rinku S/o Jasvir Singh confessed his guilt and stated that the confession made by him is voluntarily and without any pressure. The accused was also explained that he is not bound to make any statement and that if he do so, any statement made by him may be used as an evidence against him.

6. This court is satisfied that confession made by the accused Harjinder Singh @ Rinku S/o Jasvir Singh is voluntary, without any allurements, pressure or threat from any quarter.

7. In view of the entire facts and circumstances of this case and the confession of the accused, I hold the above named accused Harjinder

Singh @ Rinku S/o Jasvir Singh guilty of the offence punishable under Sections 188 IPC and he be convicted for said offence. Let, the convict be heard on the quantum of sentence.

Pronounced in open Court.

Dated:-23.12.2020

Dimple*JW

**(Gurkiran Singh), PCS,
Judicial.Magistrate Ist Class,
Jalandhar/UID No. PB0412**

Quantum of sentence:

Present: Sh. Gagandeep, APP for the State.
Convict in person.

I have heard Ld.APP for the State and convict on the quantum of sentence. Convict has submitted that he undertake not to repeat the same in future and prayed that lenient view may be taken while awarding him sentence.

On the other hand, Ld.APP for the State has opposed the submission of the convict and prayed that in view of the seriousness of the allegation, the accused be dealt with strictly so that it is a lesson to the other like minded people.

After hearing the convict and Ld. APP for the State, the convict is sentenced as under:-

Harjinder Singh @ Rinku :-

Under Section 188 IPC	To pay fine of Rs.200/- and in default of payment of fine he shall undergo imprisonment for ten days.
-----------------------	---

Fine paid against receipt. Case property, if any be released/destroyed after the expiry of the period of appeal/revision. File be consigned to the record room after due compliance.

Pronounced in open Court.

Dated:-23.12.2020

Dimple*JW

**(Gurkiran Singh), PCS,
Judicial.Magistrate Ist Class,
Jalandhar/UID No. PB0412**