

GR 2840/25

New No.1296/25

**Order dated : 10.4.26**

Today is fixed for production.

Accused **Md. Mirajul Islam @ Shamim** is produced through VC.

Accused is represented through SDLSC, Barrackpore.

Ld. APP is present.

The case record is taken up for consideration of charge.

It appears on perusal of the record that prima facie a case under Section 14 Foreigners Act, 1946 is made out against the accused.

The substance of accusation is read over and explained to the accused by the prosecution as follows:

“On 15.4.25, one Mahadev Paul submitted a written complainant to the effect that on 15.04.2025 Mirajul Islam Shamim came to him for work and told him that he is from Bongaon. Mahadev Paul was in need of a worker. After he came to know about the financial condition of Mirajul Islam Shamin, Mahadev Paul allowed him to stay at his company and he also stated to learn about the work in the company. Since then Mirajul Islam Shamim had been working in his company. Mahadev Paul had been asking him to show his documents since day one but Mirajul Islam told him that he shall have to bring the same from his home at Bongaon. Mahadev Paul became suspicious and on 04.05.2025 he asked him about his details. At that time Mirajul Islam Shamim disclosed that he was a Bangladeshi citizen and he entered India illegally. Mahadev Paul then informed Narayanpur PS. Thereafter, this case was started. During investigation it is established that you are not an Indian citizen and you do not have a valid passport.” When asked as to whether he is guilty or innocent, the accused pleaded guilty saying “ami doshi” in Bangal. When informed about the consequences of his plea, the respondent by saying “ami bujhi” - in Bangla.

The formal charge has been framed in separate sheets containing 01 page and kept with the record.

The accused namely, Md. Mirajul Islam also files a written petition pleading guilty. One prisoner’s petition has also been filed.

I am satisfied that the accused person has voluntarily pleaded guilty before me knowing full the consequences thereof. Accordingly the same is accepted and the accused is hereby convicted on the basis of his guilty plea.

This Court finds that the accused committed offence under section 14 of Foreigners Act. The accused is a first time offender. This Court also considers the mercy plea of the accused. In view of relevant materials available on record this Court tilts in favour of imposing lighter sentence upon the accused. Ld. APP also raised no objection.

Accordingly, the same is accepted and the accused are hereby convicted on the basis of his guilty plea.

Hence, it is

**ORDERED**

that the accused **Md. Mirajul Islam Shamim Khan son of Sarwar Hussain Khan** is convicted under section 241 of Code of Criminal Procedure 1973 for commission of offence punishable under section 14 Foreigners' Act and **sentenced to undergo simple imprisonment for a period of one (01) year and pay the fine of rupees 2000/- I.d. to suffer additional period of S.I. for another ten (10) days** for commission of offence punishable under section 14 Foreigners' Act.

The period of imprisonment already undergone by the accused person be set off according to section 428 Cr.P.C. as he is custody since 05.05.2025.

On completion of the aforesaid sentence the accused persons will be **Repatriated** by the concerned authorities upon an intimation to this Court.

Issue Jail Warrant accordingly along with copy of order and the copy of petition to Superintendent of the concerned correctional home for compliance.

Let the copy of this order be sent to D.M. North 24 Parganas for information and action.

Let a copy of this order be given to the convict free of cost.  
Thus the case is disposed of.

**Typed, Printed & Corrected by me,**

**(Pratigya Pradhan)**  
**J.M, 3rd Court, Barrackpore.**

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