

IN THE COURT OF SUB-DIVISIONAL JUDICIAL
MAGISTRATE, NAKODAR, PRESIDED OVER BY
BALJINDER KAUR, PCS, (UID NO.PB0329)

CIS CASE NO.	CHI/133/2020
CNR NO.	PBJLA1-000868-2020
DATE OF INSTT.	14.05.2020
DATE OF DECISION	22.10.2020

S T A T E

Versus

Hardeep Singh alias Billa aged 45 years son of Late Surjit Singh, resident of
Patti Rajoki, PS Sadar Nakodar, District Jalandhar.

.....Accused

FIR No.71 Dated 06.05.2020

U/s 188, 269 of IPC, 51-B Disaster Management Act 2005.

PS Sadar Nakodar

Present: Shri Satnam Singh, Ld. APP for the state
Accused on bail with counsel Shri R.K.Sidhu, Advocate.

J U D G M E N T :

Accused Hardeep Singh @ Billa was forwarded by the Station
House Officer of Police Station Sadar Nakodar to face trial under section
188, 269 of IPC, 51-B Disaster Management Act 2005 with the allegations
that on 06.05.2020 in the area of PS Sadar Nakodar, the accused was found
on road without mask and without any permission, pass or license issued by
any competent authority regarding Covid-19 and he violated the order of
District Magistrate Jalandhar bearing no.3062/85/MC/4/MA dated
23.03.2020 and caused danger to human life, health and safety and

committed the offence punishable under Section 188 of IPC. After completion of investigation, challan was presented in the Court.

2. On presentation of challan, copy of report under section 173 Cr.P.C as well as copies of other documents, relied upon by the prosecution were supplied to the accused, free of costs, in compliance of section 207 Cr.P.C.

3. After hearing ld. APP, ld. counsel for accused and after going through the record a prima-facie offence punishable under section 188 of IPC was made out against the accused. Accused was formally charge sheeted to which he pleaded guilty and did not claim trial. He also suffered separate statement that he is confessing his guilt without any pressure or threat in the present case and he prayed that lenient view may kindly be taken while passing sentence. The accused was informed that he was under no obligation to make said confession. But, he reiterated his stand.

4. Perusal of the file shows that allegations against the accused Hardeep Singh @ Billa are that on 06.05.2020 in the area of PS Sadar Nakodar, he was found on road without mask and without any permission, pass or license issued by any competent authority regarding Covid-19 and he violated the order of District Magistrate Jalandhar bearing no.3062/85/MC/4/MA dated 23.03.2020 and caused danger to human life, health and safety. As discussed above accused has made a confession of his guilt in the present case without any pressure, which is duly recorded in the court. Hence accused Hardeep Singh @ Billa is held guilty and convicted for

an offence under Section 188 of IPC. Let, the accused be heard on the question of sentence .

Pronounced in open court

on:-22.10.2020

(Baljinder Kaur) PCS,

Sub Divisional Judicial Magistrate,

Swanjan Rehan *

Nakodar (UID No.PB0329)

QUESTION OF SENTENCE

Present : Shri Satnam Singh, Ld. APP for the State.
Convict Hardeep Singh @ Billa in custody with counsel
Shri R.K.Sidhu, Advocate.

1. Heard, the convict pray for leniency while quantifying the sentence to be imposed upon him by presenting himself as only bread winner of his family and as first offender and lenient view may kindly be taken while passing the order of sentence.
2. After hearing the rival contentions and keeping in view this fact that the offence committed by the accused caused danger to human life, health and safety, hence this Court is of the opinion that no leniency can be granted in such like offences. Further after giving careful thought to the prayer so made by the convict viz-a-viz the gravity of the offence proved to have been committed by him, this Court is not inclined to be unduly lenient towards the accused. Accordingly, convict/accused is sentenced as under:-

Name of Convict	Rigorous Imprisonment	Fine
Hardeep Singh @ Billa	-----	Rs.500/-

Fine paid. Copy of the judgment be supplied to the convict free of cost. Case property be dealt as per rules. File be consigned to the judicial record room after due compilation.

Pronounced in open court

on:-22.10.2020

Swanjan Rehan*

(Baljinder Kaur)PCS,
Sub Divisional Judicial Magistrate,
Nakodar (UID No.PB0329)