

IN THE COURT OF KHUSHBOO GOEL,
JUDICIAL MAGISTRATE 1st CLASS, BAHADURGARH

CIS No. : CHI-260-2021.
CNR No. : HRJRA1001508-2021.
Criminal Case No. : 1506-2021.
Date of Institution : 11.05.2021.
Date of Decision : 12.04.2023.

State Versus Manoj Sehrawat @ Bholu S/o S/o Same Singh
R/oHouse No. 27, village Pochanpur, Dwarka,
Sector-23, Delhi.

...Accused.

Case FIR No. 178 Dated 04.07.2020.
Under Sections: 379 & 411 of Indian
Penal Code.
Police Station : Sector-6, Bahadurgarh.

Present : Ms. Anita, Ld. APP for State.
Accused Manoj Sehrawat @ Bholu is in custody
represented by Legal Aid Counsel.

JUDGMENT :

The above named accused has been sent up by the Station House Officer, Police Station, Sector-6, Bahadurgarh to face trial for commission of offence punishable under Sections 379 & 411 of Indian Penal Code.

2. Brief facts of the prosecution case are that Sandeep S/o Virender R/o vpo Jatusana, District Rewari submitted an application mentioning therein that he was working in Sindon Home Cabs Pvt. Ltd. and he was residing at present house no. 405. On 01.07.2020, he parked his motor-cycle bearing registration No.HR26DE-0878, Marka Yamaha FZS, Engine No.G3J3E0026872 & Chassis No. MEIRG4424H0018757

(Khushboo Goel)
Judicial Magistrate Ist Class,
Bahadurgarh

having black in colour outside the house. In next morning, he found his motor-cycle missing. Some unknown person must have stolen his motor-cycle. He searched his motor-cycle but all in vain. So, he prayed that his motor-cycle may kindly be searched and legal action be taken against thief.

3. On the basis of the said complaint, FIR No.178 Dated 04.07.2020, under Sections 379 & 411 of Indian Penal Code, Police Station, Sector-6, Bahadurgarh was registered against the accused. Investigation was carried out. Spot site plan of the alleged place of occurrence was prepared. Site plan of place of recovery was also prepared. Recovery memo was prepared. Demarcation memo of the alleged place of occurrence was prepared. Disclosure statement of accused was recorded. Statements of the witnesses were recorded. Accused was arrested and later on admitted to bail. After completion of all the usual formalities of investigation, challan under section 173 Cr.P.C. was presented in the Court for putting the accused on trial.

4. Copy of challan was supplied to the accused free of costs as envisaged under section 207 Cr.P.C.

5. Upon finding a prima facie case under Section 379 & 411 of Indian Penal Code, accused were charge-sheeted vide order dated 12.04.2023, to which he did not plead guilty and claimed trial.

6. Case was at the stage of prosecution evidence. Accused Manoj Sehrawat @ Bholu appeared and want to confess his guilt. Heard. In view of the fact that the accused has pleaded guilty to the charge sheet framed against him, therefore, the accused is held guilty and convicted

under Section 379 & 411 of Indian Penal Code. Let, he be heard on the quantum of sentence.

(Khushboo Goel)
Judicial Magistrate Ist Class,
Bahadurgarh/12.04.2023.

I attest to the accuracy and
authenticity of this document
Jyoti, Stenographer-II

(Khushboo Goel)
Judicial Magistrate Ist Class,
Bahadurgarh

QUANTUM OF SENTENCE

Present : Ms. Anita, Ld. APP for State.
Accused Manoj Sehrawat @ Bholu is in custody
represented by Legal Aid Counsel.

ORDER

I have heard the accused on the quantum of sentence.

2. Keeping in view the nature of offence, circumstances of the case and keeping in view the fact that the convicts had been in judicial custody from 15.03.2021 till today i.e.12.04.2023, this court is of the considered view that it would be in the interest of justice, if convicts are sentenced to undergo simple imprisonment for a period which he had already undergone in judicial custody. Convict be released forthwith if not required in any other case. Case property be disposed of as per the rules after the expiry of period, appeal or revision thereof as the case may be. Papers be tagged with main case file.

Announced in open court.
Dated : 12.04.2023

(Khushboo Goel)
Judicial Magistrate Ist Class,
Bahadurgarh
UID No.HR-0372

Note: All pages of this judgment have been checked and signed by me.

(Khushboo Goel)
Judicial Magistrate Ist Class,
Bahadurgarh/12.04.2023.

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authenticity of this document
Jyoti, Stenographer-II

(Khushboo Goel)
Judicial Magistrate Ist Class,
Bahadurgarh

Present : Ms. Anita, Ld. APP for State.
Accused Manoj Sehrawat @ Bholu is in custody
represented by Legal Aid Counsel.

Today the case was fixed for prosecution evidence. Accused Manoj Sehrawat @ Bholu appeared and want to confess his guilt. His confessional statement has been recorded in this regard. Heard. Records perused. Vide my separate judgment passed today, accused has been held guilty, convicted and sentenced accordingly. Papers be tagged with main case file.

(Khushboo Goel)
Judicial Magistrate Ist Class,
Bahadurgarh/12.04.2023.

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(Khushboo Goel)
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