

IN THE COURT OF METROPOLITAN MAGISTRATE

35th COURT, CSMT, MUMBAI

C. C. NO.491/PW/2023.

CNR No.MHMM24000800-2023

Exh :04

The State (Dadar Rly P. Stn.)
(Crime No.157/2023)

.... Prosecution.

V/s

Samir Shamim Shaikh
Age: 34 years

.... Accused.

Charge : U/sec. 379, 75 of Indian Penal Code.

JUDGMENT

Accused is produced before Jail Court. He submitted that he wants to plead guilty. The charge came to be framed against him for the offence punishable under section 379, 75 of the Indian Penal Code and explained him in vernacular to which he pleaded guilty. On inquiry, I am satisfied that the accused has voluntarily pleaded guilty. Muddemal property has been recovered. I gone through record. The accused appears to be convicted earlier. He is 36 years old. Offence is triable by this Court and punishment is upto three years only. Considering overall circumstances, a proportionate sentence commensurate with the gravity of offence is being passed. Hence the following order :-

ORDER

1] Accused is convicted for the offence punishable under section 379 of the Indian Penal Code vide section 241 of the Code of Criminal Procedure and sentenced to suffer rigorous imprisonment for six months and to pay fine of Rs.2,000/- (Rs. Two Thousand only) in default to suffer rigorous imprisonment for one month.

..2..

2] The period of detention, if any, undergone by the accused during investigation, inquiry or trial, be considered for the set off against the term of imprisonment imposed upon the accused as per section 428 of the Code of Criminal Procedure.

3] Muddemal, if any, be returned to the informant and, if at all, the same is handed over to the informant here-in-before, its custody with that of the informant is hereby made absolute.

4] Copy of the judgment be given to the accused free of cost.

Sd/-

(V. P. Kedar)

Metropolitan Magistrate,
35th Court, CSMT., Mumbai.
(Jail Court, Byculla, Mumbai)

Date : 25/04/2023.