

In The Court of Smt. Priyanka Saikia, JMFC, Sonitpur,
Tezpur

CASE NO: G.R.. 3401/2015

State of Assam –vs- Niren Kardong

02-11-2022

Accused person Sri Niren Kardong is present and filed a petition vide petition no. 1890/2022 to pleading guilty of the offence under Sections 279, 338 of IPC.

Perused the case record.

It is seen that the case is at evidence stage and the accused wants to plead guilty.

On considering the entire matter the particular of the offence is again explained to the accused person under Sections 279, 338 of IPC to which he has pleaded guilty.

It appears that accused person has voluntarily accepted his guilt.

On his own plea, the accused person Sri Niren Kardong is held guilty under Sections 279, 338 of IPC. His statement is recorded under Sec. 252 of Cr.P.C. On being pleaded guilty the accused person is held guilty under Sections 279, 338 of IPC and convicted for the same.

The accused person has stated that he is financially poor person and has to maintain his family from his income and therefore he prayed to release him by imposing minimum fine.

Considering the nature and gravity of the offence, I do not find it justified to extend the provisions of Probations of Offenders Act, in this case.

Accordingly, I find it justified that a lenient approach of punishment by imposing fine will serve the ends of justice in this case.

Hence, considering all, the accused person is sentenced to pay of:-

(A) A fine of Rs. 1000/- (One Thousand) only under Sec. 279 of IPC in default simple imprisonment of 15 days.

(B) A fine of Rs. 500/- (Five Hundred) only under Sec. 338 of IPC in default simple imprisonment of 10 days.

Later On,

The fine money paid by the accused person Sri Niren Kardong is to be handed over the victim.

Victim is directed to appear along with his identity proof.

The case is disposed of accordingly.