

MHMM140012892018



Filed on : 11/10/2018.
Registered on : 11/10/2018.
Decided on : 03/12/2021.
Duration : 3Y- 1M-22D.

Exh. : 28 .

**IN THE COURT OF THE METROPOLITAN MAGISTRATE,
40TH COURT, GIRGAON, MUMBAI.**

(PRESIDED OVER BY SHRI.N.A.PATEL)

- (a) The serial number of the case : 438/PW/2018
- (b) The date of the commission of the offence. : 17/09/2018.
- (c) The name of the complainant/Informant (if any) : The Gaondevi Police Station in C. R. No. 185/2018)
- (d) The name of the accused person/s, and parentage and residence; : **Aniket Vijay Patil,**
Age – 31 years, Occ.- Employee,
Res:- 3001, Shhubhada Tower,
Sarpochwalakhan Road,
Mumbai-30.
- (e) The offence complained of : Under Sections 354(A), 354(D) and 509 of the Indian Penal Code.
- (f) The plea of the accused and his examination (if any), : The accused pleaded not guilty.
- (g) The final order : The accused is convicted.
- (h) The date of such order : 03/12/2021.

Ld. APP for the State : Shri. B. U. Gavali.
Ld. Adv. for the accused : Shri. T. S. Dev.

J U D G M E N T
(Delivered on 03rd December, 2021)

The accused is facing trial for the offences punishable Under Sections 354(A), 354(D) and 509 of the Indian Penal Code.

Factual matrix of the prosecution case are as under ;

2. That on 17/09/2018 the informant alongwith her son Sameer was going to the office by car. They reached to the Cadberrey Junction that time one red car bearing no. MH-02-AY-1304 came from left side and dragged them towards the divider for 100 mts. Thereafter, it went away. On Huges road also they noticed that the said car was trying to overtake them. When they reached to the Cyceil Junction the said car came and stopped on the left lane parallel to the car of the informant. The driver of the car taken down the window of the car and shown middle finger to the informant and her son. When informant tried to calm him down he told that “fuck yourself bloody bitch”. Thereafter, the accused jumped the signal and tried to run away. But her son blocked him. The Traffic Constable intervened there and taken them to the Gaondevi Police Station.

3. On the basis of the report an offences punishable under Sections 354(A), 354(D) and 509 of the IPC was registered vide Crime No.185/2018. Thereafter, I.O recorded the statements of the witnesses and submitted the charge-sheet against the accused.

4. The accused was appeared. I have recorded plea and framed charge vide Exh.16 and 17. Thereafter, prosecution has examined four witnesses. I have recorded the statement of the accused under Section 313 of Cr.P.C. vide Exh.25.

5. Following points are arises for my determination and I have recorded my findings for the reasons thereon is as below ;

<u>Sr. Nos</u>	<u>Points</u>	<u>Findings</u>
1.	Whether prosecution proves that on 17/09/2018 at about 11:45 hours at in front of Cadberry Junction, South Pedder Road, Mumbai, you accused made sexually coloured remarks to the informant by showing your middle finger and thereby committed an offence punishable under section 354(A) of the IPC ?	<u>In affirmative...</u>
2.	Whether prosecution proves that on above said date, time and place, you accused was stalking the informant and thereby committed an offence punishable under section 354(D) of the IPC ?	<u>In negative...</u>
3.	Whether prosecution proves that on above said date, time and place, you accused abused the informant in filthy language intending to insult the modesty of woman by uttering words “ Fuck yourself bloody bitch” and thereby committed an offence punishable under section 509 of the IPC ?	<u>In affirmative...</u>
4.	What order ?	<u>Accused is convicted.</u>

REASONS

AS TO POINT NOS. 1 TO 3 :-

6. Before switching to the merit of the case, I would like to mention here that name of the victim is not mention in Judgment and she is referred as “informant” as offence is related to the modesty of woman. To bring the home guilt of the accused the prosecution has relied on the evidence of most important witness victim informant (PW1) vide Exh.18 (hereinafter referred as the informant). She deposed that on 17/09/2018

she alongwith her son were going to the office of her son by car about 11:40 am when they reached to Cadberry Junction that time they were at the right side of the road. Meanwhile one red car suddenly came from left side bearing no. MH-45-AN-4459 and was pushing them towards the divider and it continued till 100 mts. Thereafter, they went to the Huges Road that time they noticed that said car was trying to overtake them. When they reached to the Cyceil Junction signal and stopped. The said car came and stopped on the left side. The driver of the car rolled down the window of the car and shown middle finger to the informant and her son. The informant told her to maintain peace. That time the accused told that “fuck yourself bloody bitch”. The accused tried to run away but her son blocked him. Meanwhile Traffic Constable came there and taken them to the Gaondevi Police Station. Thereafter, she has filed FIR vide Exh.19. The statement under Section 164 of the Cr.PC was also recorded vide Exh.20. She also identified the accused in the Court.

7. In support of this contention prosecution has examined Sameer Sahani as (PW2) vide Exh.21 who is son of the informant. He also deposed identical facts like informant that on 17/09/2018 they were going to the office and he was driving the car bearing no. MH-02-AY-1304. When they reached to the Cadberry Junction and proceeding via Pedder Road suddenly one red car came from the left side and it was pushing them towards the divider for 100 mts. Thereafter, they reached to the Huges Road. That time also the said car was behind them and was trying to overtake them. When they reached to Cyceil Junction around 11:45 to 11:50 am signal was red and they were standing on the center lane. The car driver came from left lane and stood parallel to the vehicle. He rolled down his window and shown middle finger to them. His mother requested him not to fight and maintain peace. However, the accused abused his mother saying “ fuck yourself bloody bitch”. Upon saying this the accused

jumped the signal and tried to run away. Therefore, he blocked the vehicle of accused. The number of the vehicle of the accused was MH-45-N-4459. He has also identified the accused in the Court.

8. Another witness Mrs. Usha Nandkumar Maskar was examined as (PW3) vide Exh.22. She deposed that on 17/09/2018 she was attached to the Gaondevi Police Station and investigation in crime number 185/2018 was handed over to her. The FIR was lodged by the informant vide Exh.19. She has also recorded the statement of the witnesses. The statement of the informant was also recorded under Section 164 of the Cr.PC. It was revealed in her investigation that accused has committed an offence by making vulgar sign / gestures and also abused the informant. Therefore, she filed the charge-sheet against the accused.

9. Lastly, Shekhar Padmakar Vedge was examined as (PW4) vide Exh.24. He deposed that on 17/09/2018 he was having duty at Cyceil junction. When the signal was open, two four wheeler were standing on the side of the road. There was a quarrel between the driver and passenger of the vehicle. One person telling that his mother was sitting beside him and the driver of the other vehicle was abusing her. He tried to intervene but one lane was jam(blocked). Therefore, he has taken both vehicles to the Gaondevi police station and handed over them to the Duty Officer of Gaondevi police station. According to him specific word of abuse was not told to him by the informant or her son. He identified the accused in the Court.

10. The burden is always on the prosecution to prove the guilt of the accused beyond reasonable doubt. To Prove the same prosecution has examined four witnesses. Out of these four witnesses the informant (PW1) is the victim, Sameer (PW2) is the son of the informant when eye-witness

and Shekhar (PW4) is the police witness who reached to the spot soon after the incident. The evidence of Usha Maskar (PW3) is concern she is the Investigating Officer and her evidence is technical one. It means that case of the prosecution is wholly depend on the testimonies of three witnesses. If the evidence of two witnesses i.e. the informant (PW1) and her son Sameer (PW2) i.e. the victim and eye-witness is perused it appears that their evidence is consistent on the material particular that on 17/09/2018 they were going to the office of Sameer (PW2) in the car. When they reached to the Cadberry junction they were at right lane near the divider that time car of the accused bearing no. MH-45-AN-4459 was pushed them towards the divider till 100 mts. When they reached to the Huges Road they noticed that said car was trying to overtake them. Thereafter, they reached to the Cadberry Junction said car also came and stood parallel to the left side of them when signal was down. The car driver i.e. the accused rolled down the window of the car and shown middle finger to the informant and her son. When she told him to maintain peace, the accused told her “fuck yourself bloody bitch”. When son of the informant called the police constable the accused tried to run away but Sameer (PW2) blocked him.

11. The evidence of Shekhar (PW4) is also consistent with the version of the informant (PW1) and Sameer (PW2) that both cars were standing at the Cyceil junction on the left side lane. Their evidence consistent with each other on point that there was a quarrel between the informant, her son and the accused at signal. Therefore, he had taken them to the police station. Admittedly the FIR was lodged by the informant vide Exh.19 and statement under Section 164 of the Cr.PC vide Exh.20. The oral evidence of these witnesses is fully corroborated with the FIR. The statement under Section 164 of the Cr.PC is also consistent on the material particular regarding the gestures and abusive word by the accused.

12. Now here it is necessary to see what defence is raised by the accused during the course of cross-examination to show that the evidence of these witnesses is not trustworthy and cannot be acted upon. The accused has raised several defences during the course of cross-examination of witnesses and argument advanced by Ld. Defence Counsel. For better understanding of the case, it will be proper to deal with defence one by one.

13. First defence of the accused is that the son of the informant is a Lawyer. He has abused the accused, but by using his influence false FIR was lodged against the accused. In support of this defence suggestions were given in the cross-examination of the witnesses. However it was turned down by the witnesses. If the evidence of informant i.e. victim is perused it is fully corroborated with the FIR and consistent with other witnesses. Even police constable Shekhar (PW4) had seen them on the spot and taken them to the police station. There is no reason for him to depose false against the present accused. It is also a fact that though police and advocate are related to the legal system but they are independent. Merely because son of the informant is an Advocate does not mean that police can take false FIR at his instance. The Advocate can be the victim of the crime and where Advocate or his relative are victim of the crime. Certainly they will take action against the wrong doer, so it does not mean that it is the false FIR. Therefore, in absence of any other material on record it is very much held that false FIR was lodged by the police at the instance of the (advocate) Sameer vide (PW2). Even a lady of 66 years will put her character at stake to file false FIR on petty issues. Even it is also not a case acceptable to a prudent man that a young lawyer will use his mother to file false FIR of sexual harassment on Road Rage.

14. It is also one of the defences of the accused that the informant is in a habit of lodging such type of FIR against poor persons like the accused to

extract money. Even Ld. Advocate of the accused tried to suggest that the informant has asked money from the accused, however, when he refused to pay the money the false FIR was lodged against the accused. In support of this contention the accused invited my attention to the admission given by the informant (PW1) in the cross-examination which is as under –

“ It is true to say that I have filed the FIR against Jigar Desai bearing no. 256/2017 for the offence punishable under Section 509 and 504 with the Worli police station”.

As per above admission the informant has admitted that she has lodged the FIR against Jigar Desai in the police station for the offence punishable under Section 504 and 509 of the IPC. However, filing of one prior FIR related to the sexual harassment does not mean that the lady is in a habit of filing such type of the FIR to extract the money. Any woman can be the victim of molestation twice. It is sad and unfortunate but true that she is victim of molestation twice by two different persons. It does not mean that subsequent FIR is false. While considering this defence one fact must be considered that the informant was traveling with her son and no mother can make such type of false allegations of gestures and vulgar abuse in front of her son on petty issues. Even informant and victim are unknown to each other before incident. So there was no reason for her to make the false allegations. Therefore, merely because she was the victim of such type of crime more than once, does not mean that she is in a habit of filing such type of complaints to extract the money.

15. It is also one of the defence of the accused that the incident was occurred on the signal. The Cyceil junction is a crowded area in morning hours. However, no statement of the independent person was recorded by the police. Therefore, the version of the victim and her son is not believable. In support of this defence it is necessary to see the circumstances in which the offence is committed. The allegation against

the accused is that he has shown middle finger to the informant and her son from his car which was standing parallel to the car of the victim. He also has uttered bad words. It is but natural that the people have not noticed said incident as it was happened in car. Thereafter, as soon as the signal was started passing vehicles moved from the spot. So it is difficult to find independent witness from running traffic.

16. Now a days it is become the tendency of the people that they don't want to involved in the matter of others. Whenever such type of incident or any quarrel is happened on the road people don't want to involved in the police matters. They choose to stay away from police matters. Therefore, in such circumstances it is very difficult for the Investigating Officer to record the statement of the independent person. The Shekhar (PW4) in his evidence specifically deposed that he came to the spot as two vehicles had blocked the lane. It means that no unknown person will stopped their vehicle at signal to intervene. If any gentlemen who want to intervene into the quarrel he has to park his vehicle on the side of the road and then he can intervene or go to the police. If this was not done by anyone, nothing abnormal in it. Therefore, though the incident was occurred at signal, it is not possible for the Investigating Officer to find the independent witness. There is nothing strange in it because constable has taken all accused and the informant and witnesses to the police station and till recording of the statement of the informant naturally no one will wait on the spot on passing road. That is the reason for non examination of the independent witnesses in the present matter. Therefore, merely because independent witnesses is not examine does not mean that the offence is not committed by the accused. Hence, there is no force in this defence of accused.

17. It is also claimed by the Ld.Defence counsel that both the witnesses are close relative of each other. Therefore, they are the interested

witnesses, their testimony is not believable. Now so far as this defence is concern it is admitted fact that the informant is mother and Sameer (PW2) is her son. Actually middle finger was shown to the informant and her son Sameer (PW2), it means that the informant alone is not the victim and her son can be termed as a victim so far as the gestures is concern.

18. As discussed above independent witnesses is not available and it is the situation beyond control of Investigating Officer. There are circumstances wherein family members are the victim of the crime and in such circumstances court cannot thrown away the testimony being close relative of each other. At the most Court can scrutinize their evidence carefully with great caution. In the circumstances of the present case shows that there is no witnesses except victim and her son. So naturally prosecution has to rely on them.

19. Moreover even the Shekhar (PW4) police witness also specifically deposed that the son of the informant was telling him that the accused abused her mother. Though he is not eye-witness but reached to the spot soon after the incident. The evidence of this witness shows the presence of the accused on the spot at the relevant date and time with informant and eye-witness. Therefore, in my view there is other evidence also. Hence, merely because the informant and eye-witness are close relative their evidence is not liable to be discarded.

20. It is claimed by the accused that the informant in her cross-examination deposed that car of the accused is not having dark glasses, but her son deposed that the car of the accused is having dark glasses. Son of the informant deposed that he informed to the Constable about the incident. However, Constable deposed that no specific words of abuse was told to him by the informant or her son. Therefore, according to the

accused the informant and eye-witness are deposing false. Therefore, their entire testimony is not believable. It is the fact that the informant and her son has deposed that they have narrated entire the incident to the constable and constable deposed that it was not narrated by him. It is also fact that the informant has deposed falsely that glasses of the car was not dark. On the basis of the evidence of constable it can be said that the detail incident was not narrated to him and it is falsely deposed by both the witnesses that they have narrated entire incident to the constable. Even it is also appear that the informant deposed false that glass of the car of the accused was not black(dark). Now question will arise merely because one or two statements were appears to be false whether the testimony of witnesses liable to be thrown away ? Answer is certainly not.

21. Here, I would like to refer the maxim :-

Maxim :- *Falsus in uno falsus in omnibus* -

Meaning :- That false in one thing is false in whole thing.

As per above maxim, false in one thing is false in whole thing. However, Hon'ble Supreme Court in the case of **Appabhai and another Vs. State of Gujrat [AIR 1988 SC 696]** specifically held that the maxim *falsus in uno falsus in omnibus* is not applicable in India. Therefore, merely because small part of the testimony of any witness is false does not mean that her entire deposition/testimony is false. If the major part of the evidence is trustworthy it can be relied upon. Certainly one or two false sentence knowingly or unknowingly made by the witnesses does not mean that entire testimony is not reliable. It is necessarily to mentioned one more thing that the informant may have not noticed glasses of the car of the accused. Even when there is allegation of taking down the glasses while abusing and making gestures the color of the glasses of the car or dark glasses of the car will not make any difference. Therefore, whatever type of

glass of the car is, it will not affect the merit of the case.

22. Lastly, defence of the accused is that the incident was occurred at the signal however, it was not captured in the CCTV footage. It is specifically admitted by the IO that she has seen the CCTV footage but she has not find anything related to the crime. Ld. Defence Counsel tried to interpret it in a fashion that nothing was happened on the signal therefore, it was not seen in the CCTV. The answer given in the cross-examination by the Investigating Officer (PW3) is that the spot where crime was committed was not covered by the CCTV camera. Therefore, it does not mean that nothing was happened at the signal. It is the fact that now a days there is CCTV on every signal. However, it captures only front portion. It is specific case of the prosecution that the accused tried to ran away that time he was blocked at some distance from the signal. So naturally that area will not cover by the CCTV camera of the signal. Even police witness Shekhar (PW4) specifically deposed that there was a quarrel between the accused, the informant and witness on the last lane of the Cyceil junction. There is no reason to disbelieve to this witness regarding the quarrel and blocking the vehicle of the accused by Sameer (PW2). If this area would have been covered in the CCTV footage, certainly it was filed on record by the IO. However when area is not covered under the CCTV footage then nothing will found in the CCTV. Therefore Court cannot jumped to the conclusion that accused has not committed any crime. Hence, this the defence of the accused is also not sustainable.

23. As discussed above, none of the defence of the accused is sustainable. However, merely because the defence of the accused is not sustainable, prosecution is not escaped from the liability to prove the guilt of the accused beyond reasonable doubt.

24. In the present matter witnesses informant (PW1) and Sameer (PW2) specifically deposed that first accused tried to dragged them towards the divider, then he tried to overtake them and when they reached to the Cyceil junction he has taken down the window of his car and shown middle finger to the informant and told the informant “fuck yourself bloody bitch”. This evidence is fully corroborated with the FIR and consistent with the evidence of PW1 and Sameer (PW2) on material particular. The evidence of Shekhar (PW4) is also consistent on material particulars. Therefore, there is no reason to disbelieve the version of the informant regarding vulgar gestures and vulgar words uttered by the accused for the informant. There is promptness in lodging the FIR. It is the fact that there is no other eye-witness except the son of the informant. However, age of the informant is around 66 years at the time of the incident, she was with her young son. There is no reason for a lady of the 66 years of age to make false acquisition of vulgar gestures and vulgar abusive words without any reason in front of her son. Therefore, there is no reason to disbelieve her.

25. Here I would like refer judgment in the case of Hon'ble Apex Court regarding the testimony of the victim of the prosecutrix related to the victim of sex offence. The Hon'ble Apex Court in the case of *State of Maharashtra Vs. Chandraprakash Kewalchand Jain [1990 SSC 5501]* wherein it was held that :-

A prosecutrix of the sex-offence cannot be put on part with an accomplice. She is in fact a victim of the crime. The Evidence Act nowhere says that her evidence cannot be accepted unless it is corroborated in material particular. She is undoubtedly a competent witness under Section 118 of the Indian Evidence Act and her evidence must receive the same weight as is attached to an injured in cases of physical violence. The same degree of care and caution must attach in the evaluation of her evidence as in the case of an

injured informant or witness and no more. What is necessary is that the Court must be alive to and conscious of the fact that, it is dealing with the evidence of a person who is interested in the outcome of the charged leveled by her. If the Court keeps this in mind and feels satisfied that it can act on the evidence of the prosecutrix, there is no rule of law of practice incorporated in the Evidence Act similar to illustration (b) to section 114 which requires is to look for corroboration. If for some reason the Court is hesitant to place implicit reliance on the testimony of the prosecutrix it may look for evidence which may lend assurance to her testimony short of corroboration required in the case of an accomplice. The nature of evidence required to lend assurance to the testimony of the prosecutrix must necessarily depend on the facts and circumstances of each case. But if a prosecutrix is an adult and of full understanding the Court is entitled to base a conviction on her evidence unless the same is shown to be infirm and not trustworthy. If the totality of the circumstances appearing on the record of the case disclose that the prosecutrix does not have a strong motive to falsely involved the person charged the Court should ordinarily have no hesitation in accepting her evidence.

As per above judgment if prosecutrix does not have a strong motive to falsely involve accused, the Court should not hesitate to accept her evidence. In the present matter also there is no reason for the informant to falsely implicate the accused because till the incident accused was stranger man for her. Therefore, her testimony appears to be trustworthy, believable and certainly can be relied upon.

26. Here it is necessarily to see whether showing middle finger to a woman is vulgar gestures, amount to insult to modesty of woman ? To ascertain this fact we have to see the meaning of this gesture.

Gesture :**Meaning**

Showing Middle Finger : It is considered a Phallic (related to or resemble phallus or erect of penis) symbol, originally mean to threaten violent sexual penetration, which has developed into its contemporary meaning of “fuck you” or “go fuck yourself”.

The above meaning of “showing middle finger” to a woman means that it is vulgar gesture and it was intended to insult the modesty of woman. The accused not only stopped here but also told the informant that “fuck yourself bloody bitch” these words intending to insult the modesty of the woman. So in short the accused has made gesture and uttered the words intending to outrage the modesty of woman.

27. As per Section 354 (A) of the IPC, 'sexual harassment' is an offence. As per sub Section 1(IV) making sexual coloured remarks is an offence of sexual harassment. In the present matter the accused has shown vulgar gesture i.e. middle finger to the informant and he also told her “fuck yourself bloody bitch”. Both are sexual coloured remarks which amount to sexual harassment. Therefore, accused has committed an offence punishable under Section 354 (A) of the IPC.

28. Similarly, as per Section 509 of the IPC whoever uses any words or gestures intending to insult the modesty of the woman is liable to be punished. In the present matter also gesture of showing middle finger to the informant and using words “fuck yourself bloody bitch” are intending to outrage the modesty of the woman. Therefore, accused is also liable to be punished for the offence punishable under Section 509 of the IPC.

29. The accused is also charged for the offence punishable under Section 354(D) of the IPC. As per Section 354(D) stalking of any woman is

an offence. However, there is no allegation of stalking i.e. following the informant. Though there is an allegation that the accused tried to overtake the informant and her son. However, merely he tried to overtake vehicle is not amount to stalking. Therefore, an offence under Section 354 (D) of the IPC is not attracted. Hence, I answer point no. 2 in negative and point nos. 1 and 3 are in affirmative.

AS TO POINT NO. 4 :-

30. As discussed above the accused has committed offence punishable under Sections 354(A) and 509 of the Indian Penal Code. Therefore, I stop here to hear the accused on the point of sentence.

Dt. 03/12/2021

(N. A. Patel)
Metropolitan Magistrate,
40th Court, Girgaon, Mumbai.

31. The accused submitted that he has not committed any offence. He has not stated anything on the point of the sentence. The Ld. Advocate of the accused Mr. T. S. Dev prayed for leniency. He submitted that there is no criminal offence committed by the accused prior to it. Hence, he prayed for releasing the accused on good behaviour bond on awarding the fine only. Per contra, Mr. Gavali, learned APP prayed that accused has committed serious offence against the modesty of woman. Therefore he prayed for maximum sentence.

32. While awarding the sentence the sentence Court has to be considered number of factors i.e. age of the accused, nature of the offence, circumstances in which the accused has committed an offence and impact of the offence on the society. The offence punishable under Section 354(A)

is punishable up to one year. There is no doubt that accused is very young. If the allegation and circumstances of the present case is perused it appears that the accused has made vulgar gestures for a woman of 66 years old. The incident was resulted due to road rage. Though the accused is quite young but he is grown up person and certainly know what was doing. He was well aware about the consequences of act committed by him. Every woman in a society is having right to live with dignity. In the crime which is related to the modesty of woman, it is attacked on their fundamental rights to live with dignity. Therefore, if in such type of offence only because accused is young he is released on good behaviour bonds or on fine only. Then certainly it will adversely affect the society. In such type of case if unwarranted leniency is shown to the accused then it will send wrong signal in the society. Therefore, in my view accused should not be released on good behaviour bond or on fine. Considering the seriousness of offence and nature of offence in my view sentence coupled with fine will met the ends of justice. Hence, I pass the following order -

-: O R D E R :-

1. Accused Aniket Vijay Patil is hereby convicted for the offence punishable under Section 354(A) of the IPC vide Section 248(2) of the Code of Criminal Procedure and he is sentenced to suffer simple imprisonment for six months and he is directed to pay a fine of Rs.500/- (Rs. Five Hundred Only). In default of payment of fine the accused shall suffer simple imprisonment for fifteen days.
2. Accused is hereby convicted for the offence punishable under Section 509 of the IPC vide Section 248(2) of the Code of Criminal Procedure and he is sentenced to suffer simple imprisonment for three months and he is directed to pay a fine of Rs. 500/- (Rs. Five Hundred Only). In default of payment of fine the accused shall suffer simple imprisonment for fifteen days.

3. Accused is hereby acquitted for the offence punishable under Section 354(D) of the IPC vide Section 248(1) of the Code of Criminal Procedure.
4. Above substantive sentence passed against the accused be run concurrently.
5. Bail bonds of the accused stands cancelled.
6. The copy of the judgment be given to the accused free of cost forthwith.

(*N. A. Patel*)

Metropolitan Magistrate,
40th Court, Girgaon, Mumbai.

Date: 03/12/2021.

Dictated on : 03/12/2021.

Transcribed on : 03/12/2021.

Signed on : 03/12/2021.

PPK.