

**IN THE COURT OF THE JUDICIAL MAGISTRATE FIRST CLASS,DAMAN.**

Record of summary trial U/s.263 of the Code of Criminal Procedure.

**S.C.C. No. 43/2023**

**Exh. No. \_\_\_\_**

- 1] The date of the commission offence. : 27.01.2023
- 2] The date of the report of the offence. : 27.01.2023
- 3] The name of the complainant and particulars. : The Administration of U.T. Daman and Diu. Through the complainant, Traffic Branch, Daman.
- 4] Name of the accused. : Harish Tripathi  
Age : 22 years  
R/o.4, Niranjana Yadav Chawl,  
Vallabh Nagar, Chhatri,  
Vapi, Gujarat.
- 5] Particulars of offences:  
That you on 27.01.2023 at about 18:48 hours at Kachigam Check Post drove or attempted to drive vehicle bearing registration no. GJ-15-DN-8317, had in your blood alcohol exceeding 134 mg. per 100 ml. of blood and thereby committed an offence punishable under Section 185 of M.V. Act, 1988 and within the cognizance of this Court.
- 6] Plea of the accused :
  - a) Do you heard the substance of offence read over to you the accused?  
Ans. Yes.
  - b) Do you understand the contents of the offences?  
Ans. Yes.
  - c) Do you plead guilty of the said offences?  
Ans. Yes, I do plead guilty.

\_\_\_\_\_  
Signature of the accused

Daman  
Dated : 27/02/2023

I/c. Judicial Magistrate F.C.,  
Daman.

### **CERTIFICATE**

Certified that the substance of the offence read over to the accused and explained to him in his vernacular.

Daman  
Dated : 27/02/2023

I/c. Judicial Magistrate F.C.,  
Daman.

### **ORDER**

1) The accused voluntarily pleaded guilty for the offence punishable under Sections 185 of Motor Vehicles Act, 1988. I verified and confirmed that the accused wants to plead guilty voluntarily. The plea is accepted.

2) Perused the record of the alleged incident. Heard the accused on the point of sentence. He prayed for leniency on the ground that his financial condition is poor. Taking into consideration the plea, the accused deserves leniency. With this observation, I pass the following order.

### **ORDER**

- (i) The accused Harish Tripathi is convicted for the offences punishable under Sections 185 of M.V. Act vide section 252 of the Code of Criminal Procedure and is sentenced to pay the fine of Rs. 10,000/- (Rupees Ten Thousand Only) I/d to undergo S.I. for 07 days.
- (ii) The Superintendent is directed to hand over the original driving license to the accused, after payment of fine.

Daman  
Dated : 27/02/2023

I/c. Judicial Magistrate F.C.,  
Daman.