

UTDD020003992023



**Record of Case Tried by the Chief Judicial Magistrate, Diu in a Summary way  
under Chapter XXI of the Code of Criminal Procedure.**

**Ors Summary Criminal Case No.76/2023.**

**Exh.No. .**

- 1) Date of the commission of : 05/08/2023  
offence.
- 2) Date of the report of : 08/08/2023  
complaint
- 3) Name of complainant with : UT through PI, Naresh H. Patel,  
parentage, age, place of Diu Police Station.  
residence etc.
- 4) Name, parentage, age and : Maheshkumar Rajabhai Mori,  
place of residence etc., of the Age : 29 Yrs., R/o.Rajput Chok,  
accused person Parishram, Sutrapada, Junagadh,  
Gujarat.

That on 05/08/2023 at about 06.03 pm., Malala Circle, Diu you were found driving vehicle bearing No.GJ-32-AC-1279 having drunk liquor or under the influence of liquor and on examination you found carrying alcohol percentage exceeding 30 mg. per 100 ml. in your blood, and thereby you have committed an offence punishable under Section 185 of Motor Vehicle Act and within my cognizance.

Place : Diu.

Date : 08/08/2023.

(Amit P. Kokate)  
Chief Judicial Magistrate, Diu.

Q-1. Have you received the copies referred to in S.173 Cr.PC.?

A-1: Yes, I received the copies of police papers.

Q-2. Did you understand the charge that has been read and explained to you and the copy of which has been given to you?

A-2. Yes, I have understood the contents of charge read over to me.

Q-3. Do you plead guilty or claim to be tried?

A-3. Yes, I plead guilty.

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Signature/T.I.of Accused

Date : 08/08/2023.

(Amit P. Kokate)  
Chief Judicial Magistrate, Diu.

**JUDGMENT**

[Dated 08<sup>th</sup> August, 2023]

1] Particulars of offences are read and explained to the accused in vernacular to which the accused voluntarily pleaded guilty. He has filed an application below Exh.5 for allowing him to plead guilty, in which he states that this is his first offence.

2] Investigating Officer has given his no objection.

3] Since accused has voluntarily pleaded guilty, his plea has to be accepted, and accordingly he is to be convicted. However, considering the age of the accused, it is necessary to take lenient view. To my mind, the following order would meet the ends of justice. Hence, the following order is passed.

**ORDER**

- (i) The accused, namely, Maheshkumar Rajabhai Mori, is convicted under Section 252 of the Code of Criminal Procedure of the offence punishable under Section 185 of the Motor Vehicle Act, and is sentenced to pay fine of Rs.10,000/- (rupees ten thousand only).
- (ii) In default of payment of fine, the accused shall undergo simple imprisonment for 5 (five) days.

Place : Diu.  
Date : 08/08/2023.

(Amit P. Kokate)  
Chief Judicial Magistrate, Diu.

## **CERTIFICATE**

I affirm that the contents of this P.D.F. File judgment are same, word to word, as per the original Judgment.

Name of Typist : Nitishkumar V. Jani.

Court : Criminal Court, Diu.

Judgment signed by the Presiding Officer on : 08.08.2023

Judgment uploaded on : 08.08.2023