

**In the Court of Sh. Ashok Mann, HCS, Sub Divisional Judicial
Magistrate, Ratia.
(UID-HR-0277)**

CIS no. CHA-02 of 2018.
CNR No. HRFTA1-000005-2018
Case no. 05-II of 2018.
Date of Instt.: 03.01.2018.
Date of Decision: 03.01.2018.

State of Haryana

Versus

Gopi Singh son of Sh. Nachattar Singh, aged 25 years, labourer, resident of village Sardarewala, Tehsil Ratia, District Fatehabad.

FIR no.: 606 dated 16.12.2017.
Under Section: 13-A of the Public
Gambling Act, 1867.
Police Station: Ratia.

Present:- Sh. Arun Bansal, APP for the State.
Accused Gopi Singh in person represented by
Sh. G.S.Dhot, legal-aid-counsel.

Judgment

The above named accused has been sent up by the Police of Police Station-City Ratia, to face trial for the commission of offence punishable under Section 13-A of the Public Gambling Act, 1867.

2. Brief facts of the prosecution case are that on 16.12.2017, in the area of village Sardarewala, Ratia, the above named accused was apprehended while indulging in the game of Satta Ki khaiwali and inviting the general public at large to invest the money in the said game at public place. Accused was apprehended on the spot. Statements of the witnesses (as envisaged under Section 161 of Cr.P.C.) were recorded. After completion of investigation, challan was presented before the Court.

3. On presentation of the challan, copy of document of challan was supplied to the accused, free of costs as provided under Section 207 of Cr.P.C.

4. On perusal of the file, a prima-facie case for the commission of the

offence punishable under Section 13-A of the Public Gambling Act, 1867 was made out against the accused. He was served with notice of accusation accordingly vide separate order of even date, to which he pleaded guilty and did not claim trial. It was made clear to the accused that he was not bound to make the confession, and that if he makes the confession, the same would be used as evidence against him. He has confessed his guilt without any threat or pressure etc. In view of the fact that the accused has confessed his guilt, he is held guilty for the commission of offence punishable under Section 13-A of the Public Gambling Act, 1867, and is convicted there under. Let, the convict be heard on question of sentence after some time.

Pronounced:
03.01.2018

(Ashok Mann)
Sub Divisional Judicial Magistrate,
Ratia.

ORDER ON THE QUESTION OF SENTENCE:

Present:- Sh. Arun Bansal, APP for the State.
Convict Gopi Singh represented by Sh. G.S.Dhot, legal-aid-counsel.

Heard on the point of question of sentence. Keeping in view the nature of the offence committed by the convict, and in view of his family circumstances, this Court is of the view that a somehow lenient view would suffice with the purpose. As such, the convict is sentenced to pay a fine of Rs.200/-for the commission of offence punishable under Section 13-A of the Public Gambling Act, 1867, and in default of payment of fine, he shall undergo simple imprisonment for a period of two days. **Fine paid**. Case property, be confiscated to the State as per rules. File after due compliance be consigned to the record-room.

Pronounced:
03.01.2018

(Ashok Mann)
Sub Divisional Judicial Magistrate,
Ratia.
(UID-HR-0277)

Pooja Garg