

TRANSLATION OF THE JUDGEMENT DT. 31. 5. 96 IN THE STATE V/S
KISHAN CHAND AND HABID IRANPUR

Criminal Case No. 66/96.

Present:

Public Prosecutor on behalf of the State,
Ms. Sumbul Rizvi Khan on behalf of the co-accused,
Accused Habib Iranpur present under Judicial direction,
Accused Kishan Chand present in person

The accused have been arrested u/secs. 7(1) and 14 Foreigner's Act, 1946. The Charge Sheet has now been presented before the Court under the same sections.

Arguments heard. Accused Kishan Chand pleads not guilty to the above charge and seeks discharge.

Accused Habid Iranpur clearly pleads guilty to the above charge. Therefore, accused Habib Iranpur is charged by this Court for commission of the offences u/secs. 7(1) & 14 of the Foreigner's Act, 1946.

On the point of punishment, heard arguments from counsel of the Accused Habib Iranpur. Counsel for the accused states that the accused Habib is registered as a Refugee with the United Nations High Commissioner for Refugees (UNHCR) since he is from Iran and has sought refugee in India. Hence from the Refugee Certificate issued by UNHCR Habib is entitled to stay in India till 19. 10. 96.

By mistake he had wrongly stated his citizenship hence he pleads to be treated sympathetically.

Under the circumstances, accused Habib is sentenced to 1month of rigorous imprisonment and a Fine of rs. 200/- in the alternative the accused shall undergo further rigorous imprisonment of 7 days. Since the said accused is presently in judicial custody, the confinement already undergone in judicial as well as Police custody shall be set off with the sentence so awarded.

It is further directed that on completion of the sentence, the accused Habib be handed over into the custody of United Nations High Commissioner for Refugees (UNHCR) at 14 Jorbagh, New Delhi

The trial of Accused Kishen Chand shall continue. To come up on 3. 9. 96.

Signed

Senior Civil Magistrate