

**IN THE MAGISTRATE'S COURT AT LABASA**  
**CRIMINAL JURISDICTION**

*Criminal Case No. 447of 2017*

**STATE**

v

**ABDUL RASHID**

Appearance : **PC Lal** for the Prosecution  
**Accused** in person

Sentence : **23 November 2018**

**SENTENCE**

1. Abdul Rashid, today is for sentencing for the offence of *Assault Causing Actual Bodily Harm* for contravening *section 275* of the *Crimes Act*.
2. On 12 September 2017, you waived your rights to counsel. On 20 November 2018, you wish to change your plea and you pleaded guilty to the charge. I find your plea to be unequivocal as it was given on your own free will.
3. The brief summary of facts are;-  
*"On 3 September 2017, at about 5.15pm, the accused, Abdul Rashid was slapping his daughter. The victim who is the wife of the accused saw that, got angry, pick up a stick and hit the accused left leg and told the accused not to hit their daughter. Argument heated up between the accused and the victim. The*

*accused punched his wife on the lips resulted in injuries. Matter was reported to the police."*

4. You admitted to the above summary of facts on 20 November 2018, and convicted as charged. You submitted oral mitigation on the same day.
5. The maximum penalty for *Assault Causing Actual Bodily Harm* is 5 years imprisonment. The tariff is from suspended sentence to 9 months imprisonment. For domestic violence case, sentence is between 9 to 18 months imprisonment.
6. In your mitigation, you informed the court that you are currently serving for 10 years from March 2018, and you asked for your sentence in this case to be concurrent with the existing sentence that you are currently serving.
7. The term of 10 years that you are currently serving is far above the tariff for the present offence. Accordingly, I will sentence you to 18 months imprisonment for the offence you committed in this case.
8. Abdul Rashid, I now sentence you to 18 months imprisonment. This sentence to be served concurrently with the sentence that you are currently serving for another case.
9. The Interim Domestic Violence Restraining Order issued on 12 September 2017 is now made permanent.

**28 days to appeal**



A handwritten signature in blue ink, appearing to read "C. M. Tuberi".

C. M. Tuberi  
RESIDENT MAGISTRATE