

**De Facto IAS**  
Criminal Law Judgement Writing

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In October 2021, 'A', a known local criminal, was accused of attempting to rob a convenience store. Surveillance footage shows 'A' entering the store wearing a mask and gloves, and pulling out what appears to be a firearm. As 'A' approached the cashier, a police officer who happened to be in the store as a customer intervened. 'A' attempted to flee but was apprehended by the officer before he could leave the store premises. No money or goods were taken.

'A' has been charged with attempted robbery. In his defence, 'A' claims that he never intended to rob the store and that the firearm was in fact a toy gun; he argues that his actions were part of a poorly considered prank.

During the trial, the prosecution presented the store's surveillance footage, the toy gun (which closely resembles a real firearm), testimonies from the store cashier, the arresting officer, and other witnesses. The defence argued that the intent to commit robbery was not established beyond reasonable doubt.

As the judge presiding over this case, you are required to draft a judgement.

**IN THE COURT OF SESSIONS, DISTRICT COURT**  
**State vs. 'A'**

Session Case No.: XYZ of 2021  
Under Section: 393 of the Indian Penal Code  
Date of Judgment: [Insert Date]  
Presiding Judge: Hon'ble Justice [Insert Name]

Prosecution: Government of [State]

Accused: 'A'

Charge: Attempted robbery

**JUDGMENT**

The accused, 'A', stands charged under Section 393 of the Indian Penal Code, accused of attempting to rob a convenience store. This case hinges on the intent of 'A' at the time of the incident, with the defence claiming the act was a prank involving a toy gun, lacking genuine criminal intent.

**Prosecution's Submissions**

The prosecution asserts that 'A' entered the store with the appearance and demeanour of someone intent on committing robbery, evidenced by the disguise of a mask and gloves, and brandishing what appeared to be a firearm. The surveillance footage, showing 'A' approaching the cashier in a threatening manner, supports the claim of attempted robbery. The prosecution argues that the resemblance of the toy gun to a real firearm further substantiates the perceived threat, which induced fear in the cashier and other witnesses.

**Defence's Submissions**

The defence maintains that 'A's actions were part of a prank, not an attempt to commit robbery. They argue that the use of a toy gun, which was never pointed directly at the cashier or used to explicitly demand money, alongside 'A's immediate attempt to flee once confronted, demonstrates the absence of any real intent to rob. The defence stresses that no verbal threat or demand for money was made during the incident.

**Evidence and Analysis**

**Surveillance Footage:** Clearly shows 'A' entering the store and approaching the cashier in a manner consistent with robbery preparations. The footage does not show 'A' fleeing until confronted by the police officer.

**Toy Gun:** The toy gun, although not a real weapon, closely resembles a firearm, capable of instilling fear in an average person, which is pivotal in assessing the nature of the threat.

**Testimonies:** The cashier and the arresting officer both testified that they perceived an immediate threat, influencing their reactions as though facing a real armed robbery.

**Conclusion**

The court must determine whether the act, regardless of the actual capability to inflict harm, was sufficient to instil fear with the intent to commit robbery. The evidence presented demonstrates that 'A's actions, equipped with a realistic-looking firearm and masked identity, were likely to and did invoke a real perception of threat, fulfilling the requirements of an attempted robbery under the law.

**Order**

In light of the foregoing, the court finds that the prosecution has successfully established beyond reasonable doubt that 'A' intended to commit robbery. Therefore, 'A' is found Guilty of attempted robbery under Section 393 of the IPC.

Delivered by:

[Insert Judge's Name]

[Insert Judicial Title]

[Insert Date of Judgement]

*De Facto IAS*