

HONG KONG / JUDGMENT

HKSAR v. FAHEEN CHAUDHRY MUHAMMAD

COURT

Court of First Instance

DECIDED

11 May 2007

CASE / FILE NUMBER

HCMA233/2007

Source: legalref.judiciary.hk · Research copy typeset by Esheria. Not court-issued or certified.

bjbj HCMA233/2007 IN THE HIGH COURT OF THE HONG KONG SPECIAL ADMINISTRATIVE
REGION COURT OF FIRST INSTANCE (Appellate Jurisdiction) MAGISTRACY APPEAL NO.233 OF
2007 (ON APPEAL FROM KCCC 574 OF 2007)

BETWEEN HKSAR Respondent and FAHEEN CHAUDHRY MUHAMMAD Appellant

Before : Deputy High Court Judge D. Pang in Court Date of Hearing : 24 April 2007 Date of
Judgment : 24 April 2007 Date of Reasons for Judgment : 11 May 2007

Reasons for J U D G M E N T

AUTONUMOUT The appellant was convicted on his own plea of one count of remaining
unlawfully contrary to section 38(1)(b) of the Immigration Ordinance, Cap.

115. He was sentenced to 15 months imprisonment. The appellant appeals against that sentence. AUTONUMOUT At 9:10 p.m. on 18 January 2007, police officers were deployed to Pei Ho Street, Shamshuipo for a case of drunk person . There they found the appellant who was either unable or unwilling to produce any document of identification. It was only after he was taken to the hospital and had had some treatment that he surrendered his Pakistani passport for inspection. It showed he left Pakistan on 21 November 2006 and arrived China on the 30th. There was no further immigration record and the appellant admitted himself to be an illegal immigrant. He has two previous convictions. AUTONUMOUT In the court below, the appellant had advanced all sorts of mitigation that the magistrate dismissed as either untrue or irrelevant. Before me, he said he was a foreigner and did not know the offence would carry such a heavy penalty. He also asked me to take into account the fact that

his legs were broken. AUTONUMOUT Plainly, this appeal has no merit. It is dismissed. (D. Pang) Deputy High Court Judge Miss Winnie Lam, GC of Department of Justice, for HKSAR Appellant in person, present PAGE - 1udk 1udk t"(# t"(# &`#\$ "@AB & 6" ABC.dot setup Microsoft Word 9.0 Judiciary Title Microsoft Word Document MSWordDoc Word.Document.8

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE https://legalref.judiciary.hk/lrs/common/ju/ju_frame.jsp?DIS=57099

CASE PAGE <https://chat.esheria.ai/case-law/hong-kong/hksar-v-faheen-chaudhry-muhammad-2007>

Prepared on 24 October 2026 · Esheria