

File No: 72623-1, 72624-1  
Registry: Nanaimo

**In the Provincial Court of British Columbia**

File No: 72624-1

**CITY OF NANAIMO**

and

**SANDEEP SINGH MANHAS**

File No: 72623-1

**CITY OF NANAIMO**

and

**SANDEEP SINGH MANHAS  
JESSE'S ENTERPRISES LTD.**

**REASONS FOR SENTENCE  
OF  
THE HONOURABLE JUDGE GOULD**

**COPY**

**Counsel for the City of Nanaimo:**

**R. Peterson**

**Appearing on his own behalf:**

**Sandeep Manhas**

**Place of Hearing:**

**Nanaimo, B.C.**

**Date of Judgment:**

**April 27, 2011**

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[1] THE COURT: It is going to be more than that, because it is a thousand dollars for the second offence, you see. Now I will interpret it in such a way that I am going to save you a little bit of money, but I do not see any grounds for doing anything more than that.

[2] I mean my proposed sentence would be -- and I will give you a chance to comment on it -- that on the first charge, 72623-1, I would propose to sentence you to \$500 on Count 1 and \$1,000 on each of Count 2, 3, 4 and 5. I am not going to go beyond the minimum set out in the -- that is a total of \$4,500. I would propose to give you six months to pay on that.

[3] Then on the other one, I will start out at \$500 again, on Count 1, and \$1,000 on each of the subsequent counts, and that is another \$4,500. I will give you nine months to pay that.

[4] That is my proposal. I do not see that the bylaw gives me any leeway on that. Because you are a guy who is developing in the city, continuing to have dealings with the City of Nanaimo, and you have got property that you are developing, and I think the case that was handed up, the important principle of sentencing that has to be applied is what is called general deterrence. This sends a message, not just to you, but a message to everyone else who is developing

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that this is a city that takes trees seriously.

[5] SANDEEP MANHAS: There was no gain from this. It wasn't to get an ocean view or --

[6] THE COURT: I understand that.

[7] SANDEEP MANHAS: -- to kill the habitat; it was to enhance the habitat that's around it. But that's -- I agree with the bylaw so like I live in the City of Nanaimo so --

[8] THE COURT: All right, well I think that is the best I can do for you, sir, so I am going to sentence you to pay those fines. \$500 on Count 1 and then \$1,000 on each of the other counts, give you six months to pay on 72623-1. And the same \$500, plus \$1,000 on each of the subsequent four counts on 72624-1, and give you nine months to pay that one. And hope that you can work out some arrangements with the City so that this does not happen again and you never get caught in this situation again.

[9] SANDEEP MANHAS: Is there also a service fee on these fines as well?

[10] THE COURT: A service fee?

[11] SANDEEP MANHAS: Like does the court impose for every hundred dollars --

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[12] MR. PETERSON: Maybe he's referring to a victim impact or -- there's no other fees that I'm applying for.

[13] THE COURT: On the victim fine surcharge that you would have under a provincial offence or *Criminal Code*, no, not as far as I know. Okay, sir, that's that, and good luck in the future.

(REASONS FOR SENTENCE CONCLUDED)