

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION [ALP] NO.416 OF 2013

Torrent Power Ltd. (Bhiwwandi)	..Applicant
<i>Versus</i>	
The State of Maharashtra and another.	..Respondents

....

Mr. Nitin Pradhan i/b. S.D. Khot and Meeta Kuttikrishnan, for
the Applicant.

Mr. A.R. Patil, APP, for the Respondent-State.

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CORAM : A. R. JOSHI, J.

DATE : 30th JUNE, 2015

P.C.

1. Heard learned Senior Counsel for the applicant / original defacto complainant who had lodged the complaint with the concerned local police station against the respondent for taking action under Section 135 of the Indian Electricity Act, 2003. The present application is preferred challenging the acquittal of the respondent No.2 in the matter of offences punishable under Sections 135 and 138 of the Indian Electricity Act. Apparently, initially Special Case No.32 of 2009 was on the basis of police charge-sheet filed under Section 174 of Cr.P.C. as per the amended provision of Section 151 of the said Act. As

such, the present applicant / original defacto first informant is apparently the victim and he can file an appeal challenging the acquittal in view of the provisions of Section 372 of Cr.P.C.. As such in view of this legal position, present appeal is admitted. There is no question of passing order on the application for leave to appeal as the same has become redundant due to the legal position. Process under Section 390 of Cr.P.C. be initiated against the respondent No.2. The matter is made returnable for further directions on 27th July, 2015. Considering the issue involved in the case, stand over to 27th July, 2015.

(A. R. JOSHI, J.)

Deshmane (PS)