

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRA-S-2202-SB-2015 (O&M)

Date of decision: 23.12.2015

Tejpal Kaur

...Appellant

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. M.K. Bhandari, Advocate for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab.

Ms. Jaspal Kaur Gurna, Advocate for respondent No.2.

Jitendra Chauhan, J. (Oral)

By filing the present appeal, the petitioner has assailed the judgment of conviction dated 02.05.2015, vide which, the learned Addl. Sessions Judge, Patiala, convicted the appellant under Section 135 of Electricity Act, 2003 and sentenced to undergo RI for a period of one year and to pay a fine of Rs. 1,50,000/-.

On the last date of hearing, the learned counsel for the appellant contends that the appellant has deposited the entire amount along with compounding fee and interest.

The learned counsel for respondent No.2 also admits the factum of payment and states that she has no objection in case the

present appeal is allowed.

Heard.

Section 152 of the Electricity Act provides as under:-

“152. Compounding of offences: (1) Notwithstanding anything contained in the Code of Criminal Procedure 1973 (2 of 1974), the Appropriate Government or any officer authorized by it in this behalf may accept from any consumer or person who committed or who is reasonably suspected of having committed an offence of theft of electricity punishable under this Act, a sum of money by way of compounding of the offence.”

In this case, the entire consumption charges along with compounding fee of Rs. 39,000/- and interest of Rs. 28,556/- has been paid to the respondent No.2.. Ms. Jaspal Kaur Gurna, counsel for respondent No.2 admits that the amount in question has been paid to the complainant and the respondent has no objection if the present appeal is allowed.

In view of the above, this Court feels that no purpose will be achieved in keeping the proceedings alive. Accordingly, the present revision is allowed on the basis of the compromise and the judgment of conviction and order of sentence of the trial Court is set aside. The appellant is acquitted of the charge on the basis of compromise. The appellant is already on bail.

23.12.2015

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(JITENDRA CHAUHAN)
JUDGE