

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL REVISION NO. 155 OF 2014

(MOHIT MAHADEO DALAL...VS..THE STATE OF MAHARASHTRA THR. PSO PS BHANDARA & 1 OTH)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

None for Applicant.
Shri A.K.Bangadkar, A.P.P. for Non-applicant No.1.
Shri A.M.Quazi, Advocate for Non-applicant No.2.

CORAM : Z.A.HAQ, J.

DATED : FEBRUARY 15, 2016.

On 9th February, 2016 this matter was adjourned on the request made on behalf of the advocate for the applicant. Today, none appears for the applicant.

Heard Shri A.M.Quazi, advocate for the non-applicant No.2.

The applicant has prayed for directions to the non-applicant No.2 to repay the amount of Rs.3,59,276/-, which according to the applicant, is outstanding against the non-applicant No.2. The applicant has deposited an amount of Rs.1,57,040/- towards the assessment charges calculated by the non-applicant No.2 as, according to the non-applicant No.2, the applicant has used the electricity without getting it recorded. The applicant was prosecuted for the offence punishable under Sections 135 and 138 of the Electricity Act, 2003, however, he is acquitted by the learned Sessions Judge by the judgment dated 27th November, 2013. The applicant has sought the direction against the non-applicant No.2 for depositing the amount of Rs.3,59,276/- as he is acquitted.

The claim made by the applicant cannot be entertained in the revision application under Section 397 read with 401 of the Code of Criminal Procedure and the directions as sought by the applicant cannot be issued in this criminal revision application.

The revision application is **dismissed**. The applicant will be at liberty to initiate appropriate proceedings according to law, if so advised. In the circumstances, the parties to bear their own costs.

JUDGE

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