

Sarnobat

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1965 OF 2017

Yogesh Prakash Bhondve.	.. Applicant.
Vs.	
The State of Maharashtra.	.. Respondent.

Mr. Rushikesh Gajanan Patil, for the Applicant.
Mr. Y. M. Nakhwa, APP for the Respondent.

CORAM : P. N. DESHMUKH, J.

DATE : 20TH MARCH, 2018.

P. C. :

1. Heard learned counsel for applicant and learned Additional Public Prosecutor. This application filed for grant of anticipatory bail in Crime No. 598/2015 registered with Mahavitaran Police Station, Pune for the offence punishable under Section 135 of Electricity Act, 2003. The above involvement in this Crime with reference to the theft of electricity is to the extent of Rs.4,49,290/-. This Court while protecting applicant from his arrest by interim order, directed applicant to deposit sum of Rs.4,50,000/- which is admittedly deposited by the applicant.
2. On the last date learned counsel for applicant made a statement that inspite of applicant's depositing amount as aforesaid, authorities of Complainant/Department is not taking decision on the

representation which is submitted by the applicant for compounding of offences. Learned Additional Public Prosecutor has produced on record correspondence made by the Executive Engineer, MSEB Company Ltd. with applicant informing that applicant's representation cannot be considered since, matter is sub-judice in the Court.

3. Considering the provisions of Section 152 of Electricity Act, 2003, since, officers of the complainant's department is competent for compounding the offence and as applicant has already deposited amount of Rs.4,50,000/- as against the amount in respect of alleged theft of electricity to the extent of Rs.4,49,290/-, application is allowed.

4. Interim order in force stands confirmed.

[P. N. DESHMUKH , J.]