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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 389/2017**

ASHU & ORS

.... Appellants

Represented by: **Habibur Rahman, Advocate**

versus

STATE & ANR

.... Respondents

Represented by: **Mr.Hirein Sharma, APP for the State**
Ms.Anju Thomas, Advocate for respondent No.2 with
Mr.Pradeep Basoya, Assistant Legal Manager and authorized representative of R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.02.2018

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By this appeal the appellants Ashu, Naveen and Tuntun Kumar have challenged the judgment dated 30th January, 2017 passed by the learned Special Court, Electricity Act, Saket convicting the appellants for the offences punishable under Sections 135 and 138 of the Electricity Act, convicting Tuntun Kumar also for offence punishable under Section 150 of the Electricity Act, 2003 and the order on sentence dated 30th January, 2017.

During the course of the present appeal sentence of the appellants was suspended and parties have entered into a settlement.

Mr.Pradeep Basoya, Assistant Legal Manager and authorized representative of respondent No.2 (BSES Rajdhani Power Ltd.) is present in Court and is identified by the learned counsel. He states that a settlement has since been arrived at between the appellants and the respondent No.2 and excess amount of ₹55,000/- was refunded to the appellants by the respondent No.2. Mr.Pradeep Basoya further states that he is authorized and competent to make the statement on behalf of respondent No.2 that respondent No.2 does not wish to pursue the Complaint Case No.324/2012 which culminated in the impugned judgment of conviction and order on sentence. Mr.Pradeep Basoya has signed the order sheet in acknowledgement of his statement made before this Court.

Since the parties have settled the matter, the appeal is disposed of setting aside the impugned judgment dated 30th January, 2017 convicting the appellants for the offences punishable under Sections 135 and 138 of the Electricity Act, convicting Tuntun Kumar also for offence punishable under Section 150 of the Electricity Act, 2003 and the order on sentence dated 30th January, 2017.

Bail bond and the surety bond furnished by the appellants pursuant to the order dated 24th April, 2017 passed by this Court in the present appeal are discharged.

CrI.M.B.711/2017 & CrI.M.A.6585/2017 (stay)

Dismissed as infructuous.

MUKTA GUPTA, J.

FEBRUARY 27, 2018

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