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

+ CRL.M.C. 5930/2018 & CRL.M.As.47991-92 /2018

RAJNI

..... Petitioner

Through: Ms. Pallavi S. Kansal, Mr.
Saurabh Kansal and Mr.
Dishank Dhawan, Advs.

versus

STATE & ANR.

.... Respondents

Through: Mr. Kamal Kumar Ghei, APP
Mr. Sunil Fernandes, Ms. Anju
Thomas and Mr. Arnav
Vidyarthi, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

O R D E R

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26.11.2018

CRL.M.A. 47992/2018 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 5930/2018 & CRL.M.A.47991/2018 (for stay)

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) for setting aside the order dated 20.9.2018 passed by Special Electricity Court, Dwarka, Delhi in CC No.102/2017 to the limited extent qua direction to deposit of Rs.20,000/-.
2. Learned counsel for the petitioner submitted that the condition regarding the deposit of Rs.20,000/- with the complainant/respondent No.2 is bad in law.
3. Learned counsel for the petitioner further submitted that the

liability of the petitioner as stated in the complaint under Section 151 read with Section 154 of the Electricity Act, 2003 for offences under Sections 135 & 150 of the Electricity Act, 2003 amounting to Rs.76,318/- is required to be determined and no amount is liable to be paid at this stage.

4. It is certainly correct that a civil liability of Rs.76,318/- is required to be determined by the Trial Court, however, taking into consideration the facts and circumstances of the case and the nature of the offence, some amount is required to be paid by the petitioner. In that regard, I do not find any infirmity in the order of the Trial Court directing the petitioner to deposit Rs.20,000/- with the complainant.

5. Learned counsel for the petitioner further submitted that he has already advised the petitioner to move an application before the Trial Court for extension of time for depositing the said amount but he is not sure whether the petitioner has moved such an application.

6. In case, the petitioner has moved any such application for extension of time for depositing the said amount, the Trial Court may consider it sympathetically.

7. Accordingly, the present revision petition is dismissed in the above terms. CRL.M.A.47991/2018 is also dismissed.

CHANDER SHEKHAR, J

NOVEMBER 26, 2018/rk