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

+ CRL.A. 424/2018 and CRL.M.(BAIL) 608/2018

TAPAN MALIK

..... Appellant

Through: Mr. T. Garg, Adv.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr. Izhar Ahmad, APP for State. with
SI Nagender Nagar, PS – Govind Puri

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

09.01.2020

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CRL.A. 424/2018

It is submitted by the learned counsel for the appellant that subsequent to preferring the appeal, settlement is arrived at between the parties in the Delhi High Court Mediation and Conciliation Centre and a settlement agreement dated 13.11.2019 has been filed on record to substantiate the said fact.

Learned counsel appearing on behalf of the appellant submits that in view of the settlement arrived at between the parties, the offence has been compounded and he further prays that the conviction of the appellant may also be set aside.

Similar issue came before this Court in *Amravati vs. State and Others* (Crl. Appeal No. 1396/2013, decided on 18.12.2013), wherein in view of the settlement of the issue between the parties, offence had been compounded,

subsequent to which the appeal filed by the appellant was accepted. Consequently, order on sentence was set aside and appellant was acquitted of all the charges.

Similar has been the view of the Co-ordinate Bench of this Court in case of *Mohinder Bhati vs. BSES Rajdhani Power Ltd. (Crl. Appeal No. 1111/2010, decided on 16.01.2013)* and *Amar Awana vs. State NCT Of Delhi and Anr., (Crl. Appeal 624/2013, decided on 14.08.2013)*.

In view of the above discussion and the settlement arrived at between the parties, keeping in view that the offence has been compounded, the judgment of conviction and order on sentence both dated 31.01.2018 and order on civil liability dated 31.01.2018, passed by learned Additional Sessions Judge, The Special Court under the Electricity Act, 2003, South District, Saket Courts, New Delhi are set aside and the appellant is acquitted of all the charges.

The appeal stands disposed of in the above terms. Pending application also stands disposed of.

SURESH KUMAR KAIT, J

JANUARY 09, 2020

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