



2023 : DHC : 7197



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

% *Date of decision : 28.08.2023*

+ **CRL.A.139/2013**

MOHD. IQBAL

..... Petitioner

Through: Mr. Advocate (appearance not given)

versus

BSES YAMUNA POWER LTD. & ANR.

..... Respondents

Through: Mr. Moksh Arora and Mr. Santosh,
Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

RAJNISH BHATNAGAR, J (ORAL)

1. The appellant has preferred the present appeal under Section 156 of the Electricity Act read with Sections 374 and 482 Cr.P.C for setting aside the impugned judgment dated 21.12.2012 vide which he has been convicted under Section 135 of the Indian Evidence Act whereby he has been sentenced to undergo SI for 8 months along with civil liability of ₹ 3,73,618/-.

2. During the course of the arguments on 13.10.2022, the parties were agreeable to mediation and it was stated by the learned counsel for the appellant as well as counsel for respondent no. 2 that there are chances of amicable settlement between the parties and they requested that the matter may be again referred to mediation.

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3. Accordingly, the matter was referred to Delhi High Court Mediation and Conciliation Centre for 01.11.2022.
4. By virtue of mediation settlement dated 05.04.2023 the appellant and respondent no. 2 settled all their disputes and claims amicably. A copy of the said settlement has been placed on record. I have perused the mediation settlement and as per the mediation settlement respondent no. 1 has received its entire dues i.e. a sum of ₹4,67,023/- as per the Settlement Agreement and respondent no. 1 agreed not to press any criminal liability against the appellant.
5. Since the matter has been settled amicably before the Delhi High Court Mediation and Conciliation Centre and the claims of respondent no. 1 have been settled, no useful purpose would be served by continuing with this appeal.
6. Therefore, this is a fit case where this Court deems it appropriate to allow the present appeal to be compounded taking into consideration the settlement between both the parties. Consequently, the judgment dated 21.12.2012 passed by learned ASJ is hereby set aside and the present appeal is allowed as compounded.
7. The sentence of the appellant has already been suspended and since the appeal has been compounded, bail bonds of the appellant are cancelled and sureties stand discharged.
8. With the aforesaid observations, the appeal stands disposed of.

RAJNISH BHATNAGAR, J

AUGUST 28, 2023/ib