



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 42 OF 2006

Shantaram s/o Motiram Pawara
Age : 35 years, Occu. Business,
R/o. Village Sangvi, Tq. Shirpur,
Dist. Dhule.

... Appellants

Versus

1. The State of Maharashtra
Through Police Station Officer,
Shirpur Police Station,
Taluka Shirpur, District Dhule.
2. The Maharashtra State Electricity
Board, Through Asstt. Engineer,
M.S.E.B., Shirpur II Sub Division,
Shirpur, Dist. Dhule.

... Respondents

.....

Mr. Chaitanya C. Deshpande, Advocate for the Appellant.
Mr. N. B. Patil, APP for Respondent No.1-State.
Mr. Avinash R. Salve, Advocate for Respondent No.2.

.....

CORAM : ABHAY S. WAGHWASE, J.

DATED : 24 SEPTEMBER 2024

ORDER :-

1. Conviction for offence under Section 135 of the Electricity Act, 2003 has been put to challenge by instant appeal. Learned counsel Mr. Deshpande submits that he is ready to pay compounding charges along with theft amount. He is carrying D.D. today. Learned counsel

Mr. Salve appearing for respondent no.2 also concedes and submits that he is ready to accept the D.D.. Learned counsel Mr. Deshpande hands over the D.D. to Mr. Salve in Court. He accepts and acknowledges it.

2. In view of the above settlement, following order is passed :

ORDER

- I. The appeal stands allowed.
- II. Conviction awarded to the appellant Shantaram Motiram Pawara by learned 1st Adhoc Additional Sessions Judge and Special Judge, Dhule in Special Case No. 111 of 2004 under Section 135 of the Electricity Act, 2003 on 20.12.2005 stands quashed and set aside.
- III. The appellant stands acquitted of the offence punishable under Section 135 of the Electricity Act, 2003.
- IV. The bail bonds of the appellant stand cancelled.
- V. Fine amount deposited, if any, be refunded to the appellant after the statutory period.
- VI. It is clarified that there is no change as regards the order regarding disposal of *muddemal*.

[ABHAY S. WAGHWASE, J.]