



\$~51

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

+ CRL.A. 1327/2013 & CRL.M.(BAIL) 2110/2013, CRL.M.A.
15773/2013 (Stay)

NARESH KUMAR

..... Appellant

Through: Mr. Viney Sharma, Advocate
(through VC).
Appellant in person.

versus

STATE

..... Respondent

Through: Mr. Sunil Kumar Gautam, APP for
the State.
SI Harish Hooda, PS Keshav Puram.
Mr. Abhay Kumar and Mr. Shagun
Ruhil, Advocates with Mr. Amit
Singh, AGM-Law-TPDDL.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

02.05.2024

%

1. The present appeal under Section 374(2) read with Section 482 of the Code of Criminal Procedure, 1973 seeks following prayers:-

“In view of the aforesaid, it is therefore most respectfully prayed that this Hon'ble Court may kindly Set aside/quash the Judgment of Conviction dated 19.9.2013 and order on sentence dated 27.9.2013 passed by Sh Raj Kumar Chauhan Ld Additional Sessions Judge, Electricity, North West, Rohini Courts, {Trial Court} in Sessions Case No. 28/2009, arising from FIR No. 33/2008 Police Station Keshav Puram, Delhi under section 135 of the Electricity Act.

This Hon'ble Court may also pass any other or further order/s as this Hon'ble Court deem fit and proper in the facts and circumstances of the case.”

2. *Vide* the impugned judgment of conviction and order on sentence dated 19.09.2013 and 27.09.2013, the present appellant was convicted for



offence under Section 135 of the Electricity Act and was directed to pay a sum of Rs. 16,58,000/- as a civil liability and further sentenced to undergo rigorous imprisonment for a period of 1 year.

3. Learned counsel appearing on behalf of the appellant and learned counsel appearing on behalf of the respondent submits that the matter has now been settled and as per the settlement the appellant has paid an amount of Rs. 11,60,600/- and the same has been recorded in the order dated 24.01.2024, passed by Sh. Jitender Singh, ASC Electricity North. A Copy of the said order has been handed up in Court today and the same is taken on record.

4. It is further submitted that in pursuance of the same execution proceedings filed on behalf of the respondent have also been disposed of. It is pointed out that the offence is compoundable under Section 152 of the Electricity Act.

5. In view of the above, this Court allows the compounding under Section 320(5) of the CrPC and the appellant stands acquitted.

6. The present appeal is disposed of in the aforesaid terms.

7. Pending application(s), if any, also stand disposed of.

8. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

MAY 02, 2024/sn

Click here to check corrigendum, if any