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

+ **CRL.A. 28/2021, CRL. MAs 34950-51/2025**

DEVENDER

.....Appellant

Through: Mr. Manish Kumar, Mr. Vikas
Sharma, Advocates.

versus

STATE

.....Respondent

Through: Mr Pradeep Gahalot, APP for State
with Mr. Mohit Sharma, Advocate
with SI Pravin Singh PS Kanjhawla,
Delhi.
Mr. Manish Srivastava, Mr. Moksh
Arora and Mr. Santosh Ramdurg,
Advocates for TPDDL.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

24.11.2025

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1. The present appeal has been filed under Section 152 of the Electricity Act, 2003 r/w Sections 374 and 482 Cr.P.C. on behalf of the appellant assailing the judgment on conviction dated 14.08.2019 and the order on sentence dated 07.09.2019 passed by the learned ASJ (Electricity), North-West District, Rohini Courts, Delhi in SC No. 109/2018 arising out of FIR No. 387/2017 registered under Section 135 of the Electricity Act, 2003 (hereinafter referred to as the 'Electricity Act') at P.S. Kanjhawala, Delhi.
2. Vide the impugned judgment and order on sentence, the appellant was convicted for the offence punishable under Section 135 of the Electricity Act and was sentenced to undergo SI for a period of 06 months, alongwith



payment of fine of Rs.10,000/-, in default whereof, to further undergo SI for a period of 15 days. The civil liability of the appellant in terms of Section 154(5) of the Electricity Act was adjudged as Rs.2,26,916/-. The benefit of Section 428 Cr.P.C. was extended to the appellant.

3. Briefly put, a criminal complaint was lodged against the accused *Devender* by Tata Power Delhi Distribution Ltd. alleging commission of an offence under Section 135 of the Electricity Act, 2003. It was stated that on 20.03.2017, the inspection team of the complainant company inspected the premises H. No. 63, Village Jaunti, Delhi-110081 and found direct theft of electricity through illegal wires tapping from Tata Power Delhi Distribution Ltd. LT ABC/Network Pole No. 533-13/30. The illegal wires were connected to the internal wiring of the premises, with a connected load of 3.473 KW, being used for commercial purposes. On the basis of this complaint, DD No. 8-A dated 28.10.2017 was recorded at P.S. Kanjhawala, followed by registration of the present FIR.

4. After completion of investigation, the charge sheet was filed against the appellant under Section 135 of the Electricity Act. Vide order dated 24.05.2018, charge was framed against the appellant under Section 135 of the Electricity Act, to which he pleaded not guilty and claimed trial.

5. During the pendency of the present proceedings, at joint request of the parties, the matter was directed to be listed before the Delhi High Court Mediation and Conciliation Centre vide order dated 11.12.2024. However, despite best efforts, no settlement could be reached and the mediation ended as 'Not Settled'.

6. Learned counsel for the appellant submits that the parties have subsequently been able to reach an amicable settlement of their disputes.



The Settlement was recorded in the Permanent Lok Adalat proceedings on 24.04.2025 pursuant to which a settlement deed of the same date was executed. A copy of the same has also been annexed with the present appeal. In terms of the settlement, it was agreed that the appellant shall pay an amount of Rs.1,20,000/- to respondent No. 2/Tata Power Delhi Distribution Ltd. towards satisfaction of the civil liability of Rs.2,26,916/-. He further submits that it was also agreed that respondent No. 2 shall not press the conviction of the appellant on realization of the aforesaid settled amount of Rs.1,20,000/-.

7. The settlement arrived at between the parties on 24.04.2025 is accepted and taken on record and the parties shall remain bound by the terms and conditions stated therein.

8. Learned counsel for the appellant submits that in view of the settlement having been arrived at between the parties, the offence punishable under Section 135 of the Electricity Act may be compounded. In support of his submissions, learned counsel for the appellant has relied upon the decisions passed by this Court in Rajesh Kumar v. NDPL & Ors., CRL.A. 1063/2013, Varun Gupta v. State & Anr., CRL REV.P. 654/2016, Fazil v. State Thr. NDPL, CRL.A. 253/2008 and Kunji Lal v. State & Anr. reported as 2013 SCC OnLine Del 2720.

9. Today, learned counsel for the appellant submits that the entire settled amount has been paid to respondent No. 2, and the receipt of payment is already placed on record.

10. Learned counsel for respondent No. 2 acknowledges the receipt of the entire settled amount of Rs.1,20,000/-. He, on instructions, submits that respondent No. 2 has no objection in case the offence is permitted to be



compounded.

11. Keeping in view the discussion hereinabove and submissions made by learned counsel for the appellant as well as the no objection given on behalf of respondent No. 2, the offence under Section 135 of the Electricity Act is compounded and the appellant is accordingly acquitted of the charge.

12. The appeal is disposed of in the above terms. Miscellaneous applications, if any, are disposed of as infructuous.

13. A copy of this order be communicated to the concerned Trial Court as well as to the concerned Jail Superintendent.

MANOJ KUMAR OHRI, J

NOVEMBER 24, 2025

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