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

+ CRL.A. 950/2023, CRL.M.A. 31351/2023

MANOJ KUMAR & ANR.

.....Appellants

Through: Appearance not given

versus

BSES RAJDHANI POWER LTD

.....Respondent

Through: Mr. Rishab Raj Jain, SC with Ms.
Vasudha Arora, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

15.01.2025

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1. This is an appeal filed under section 374 of Code of Criminal Procedure, 1973 read with section 156 of Electricity Act, 2003 seeking to challenge the judgment dated 23.09.2023 and order of sentence dated 25.09.2023.

2. In the present case, the appellants were convicted for the offences committed under section 135 of the Electricity Act, 2003 and were also held liable for the civil liabilities for using electricity illegally under section 154(4) of the Electricity Act, 2003 vide judgment of conviction dated 23.09.2023 and were sentenced for 1 year simple imprisonment along with a total fine of Rs. 4,99,660/- and civil liability amounting to Rs. 3,33,107/- vide order of sentence dated 25.09.2023.

3. On 17.11.2023, both the parties were referred to mediation to amicably settle the disputes arisen between them.



4. Mr. Jain, learned counsel for the respondent states that the parties have arrived at a settlement on 23.12.2023 before the Delhi High Court Mediation and Conciliation Centre, wherein the appellants have agreed to pay a total sum of Rs. 2,66,486/- towards full and final settlement. Out of the total amount of 2,66,486/-, Rs 1 lakh has already been paid.
5. Thereafter, the balance amount of Rs 1,66,486/- also stood paid by way of Demand Draft bearing no. 37762, dated 06.12.2023, drawn on Canara Bank, Delhi.
6. As of today, no outstanding amount remains pending and in this view of the matter, the respondent has agreed not to press any criminal charges.
7. Since the matter has been settled and the entire payment as per the settlement dated 23.12.2023 has been made by the appellants, I am inclined to allow the present appeal.
8. In this view of the matter, the judgment of conviction dated 23.09.2023 and the order of sentence dated 25.09.2023 is set aside and the civil liability also stands cleared.
9. The appeal is allowed and disposed of accordingly.

JASMEET SINGH, J

JANUARY 15, 2025/DM

Click here to check corrigendum, if any