

07.02.2026

Present : Sh. Salil Maheshwari, Ld. (subt.) Addl. PP for the State.  
Sh. Binay Kumar, AR for complainant company.  
Accused no. 2 in person.  
**Accused no. 1 already declared PO vide order dated  
14.09.2022.**

**Civil liability in the present case has already been  
settled.**

Report regarding previous conviction/ involvement of  
accused no. 2 already filed on 28.01.2026 on behalf of SHO  
concerned, **wherein no involvement of accused no. 2 is reported to  
have been mentioned in any case except present case.**

Report of Preliminary enquiry under the probation of  
Offenders Act, 1958 filed today, wherein it is mentioned that convict  
**Khushal is 72 years old senior citizen**, studied upto 5<sup>th</sup> class and  
unable to work. He lives with his two sons, two daughter-in-laws and  
three grandsons. Accused has old age related health problems. The  
economic condition of the family of convict is normal. He stated that  
he is highly motivated to lead his life with the discipline and norms of  
the society. Further, there is possibility of improvement in the  
behaviour of the accused. The accused has suffered socially, mentally  
as well as economically throughout this period of trial and there is  
chance and possibility of rehabilitation of accused in this case. The  
previous institutional record of convict is nil.

It is submitted by AR for the complainant that civil  
liability in the present matter has already been settled with accused no.  
2 and he has no objection, in case present case is dispose off qua  
accused no. 2 with liberty to get it revived as and when **accused no. 1  
Deepak** is apprehended or produced before the court.

Contd...2/-

Report Perused.

Arguments on the point of sentence heard.

It is submitted by the convict Khushal that he is 72 years old senior citizen, studied upto 5<sup>th</sup> class and unable to work. He lives with his two sons, two daughter-in-laws and three grandsons. Accused no. 2 has old age related health problems. The economic condition of the family of convict is normal. Further, it is also stated by convict that he is victim of circumstances, deserves the lenient view and as such he may be released on probation of good conduct.

Keeping in view the facts and circumstances of the case, report of SHO concerned filed on 28.01.2026 in which **accused no. 2 is not involved in any criminal case** as well as report of probation officer filed today is satisfactory and the fact that the convict has already settled his civil liability especially keeping in view the economic financial condition of the convict, hence, I am of the opinion that end of justice would be met, if the convict is given the benefit of Probation of Offender Act. Hence, convict **Khushal** is given the benefit of section 3 of the Probation of Offenders Act, 1958 and due admonished accordingly.

**Bail bond of accused no. 2, if any, also stands canceled and surety, if any is discharged.**

File be consigned to record room with direction to get the case revived as and when **accused no. 1 Deepak** is apprehended or produced before the court.

Copy of this order be given dasti.

(Rakesh Kumar-IV)  
ASJ (Electricity) – 01,  
Central/ Tis Hazari Courts/ Extn. Block  
07.02.2026 (sy)