

1.

Ct. Case 88/2022
TATA Power Delhi Distribution Ltd.
Vs.
TARAWATI

25.04.2023

Present: Sh. V.S. Verma, A/R of the complainant company alongwith
Sh. Adib Mustafa Khan, AGM (Legal), Ms.
Shiwani Sharma, Senior Manager (Legal) and Ms.
Mansha, Assistant Manager (Legal) of TPDDL.
Accused in person alongwith Sh. Ashish Dahiya, Ld.
Counsel.

It is submitted by the Ld. Counsel that he shall file vakalatnama on the NDOH.

An application for bail has been moved on behalf of the accused by her counsel.

Submissions of Ld. Counsel for the accused heard.

The present case is U/S 135/138 of the Electricity Act. The case is based upon the documentary evidence. Trial of this case will take its own time. Considering all these facts, the accused is admitted on bail on furnishing the personal bond and the surety bond of Rs. 10,000/-. **Personal bond has been furnished and the same is hereby accepted till the next date of hearing.**

Ld. Counsel for the accused seeks some time to furnish the bail bond.

The documents have been supplied to the accused. Ld. Counsel for the accused has gone through the documents. Same are complete.

Submissions on framing of notice heard.

2.

It is submitted by the Ld. Counsel for the accused that accused has been falsely implicated in the instant matter and no offence is made out against her.

Per contra, it is submitted by complainant company that prima faice offence under Section 135 and 138 of the Electricity Act, 2003 is made out against the accused as the sufficient material is on record against the accused.

As per Section 154 (3) of the Electricity Act, 2003, the special court may, notwithstanding anything contained in sub-section (1) of section 260 or section 262 of the Code of Criminal Procedure, 1973, try the offence referred to in (sections 135 to 140 and section 150) in a summary way in accordance with the procedure prescribed in the said Code and the provisions of section 263 to 265 of the said Code shall, so far as may be, apply to such trial.

Accordingly, the notice U/S 135 and 138 of the Electricity Act, 2003 is framed qua the accused. She pleads not guilty and claims trial.

At this stage, it is submitted by both the parties that talks for compromise are still going on.

In view of the same, matter be listed for confirmation of bail as well as compromise, if any, or further proceedings on **02.05.2023**.

(JITENDRA SINGH)
ASJ (Electricity)/(N-W)
Rohini Courts, Delhi
25.04.2023