

SC 937/2022
STATE
Vs.
AJAY
FIR No. 256 /2021
PS: Sultanpuri

23.01.2023

Present: Ld. Addl. PP for the State.
Sh. V.S. Verma, A/R of the complainant company alongwith
Sh. Adib Mustafa Khan, AGM (Legal) and Ms. Shiwani
Sharma, Senior Manager (Legal) of TPDDL.
Accused in person alongwith Ld. LAC Sh. Subodh Kumar
Jha.

It is submitted by the accused that he is a poor man and he is
unable to engage a counsel. Accordingly, he requests for legal aid
counsel.

Sh. Subdoh Kumar Jha, DLSA counsel is present in the
court. He is requested to assist the accused. Accordingly, bail application
is filed by Ld. DLSA counsel on behalf of the accused.

Submissions of Ld. LAC heard.

The present case is U/S 135 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. 20,000/-.
Personal bail bond has been filed and the same is accepted till the next
date of hearing.

Ld. LAC for the accused seeks some time to furnish the
surety bond. Accordingly, he is directed to do so on the next date of
hearing.

The documents have been supplied to Ld. LAC. Ld. LAC has gone through the documents. Same are complete.

Submissions on framing of notice heard.

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

Per contra, it is submitted by complainant company that prima faice offence under Section 135 of Electricity Act 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 Electricity Act is framed qua the accused. He pleads not guilty and claims trial.

Put up for confirmation of bail as well as P.E. on **31.03.2023.**

Let the copy of this order-sheet be sent to the Secretary, DLSA.

(JITENDRA SINGH)
ASJ (Electricity)/(N-W)
Rohini Courts, Delhi
23.01.2023