

SC 355/2023
STATE
Vs.
RAKSHA W/O SH GADOO
FIR No. 428/2022
PS: (Mukherji Nagar)

20.09.2023

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. Mansha,
Assistant Manager (Legal) of the complainant/ TPDDL.
Accused present in person.
Ld. LAC Ms. Asha Jyoti Arya present in person.

It is submitted by the accused that due to her financial condition she is not in a position to engage a counsel in the instant matter. Accordingly, she is requested to provide legal aid.

Remand counsel/DLSA Counsel Ms. Asha Jyoti Arya is present in the court. She is requested to assist the accused. Accordingly, bail application is filed by Ld. LAC.

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. 10,000/-. Personal bond has been furnished and the same is hereby accepted till the next date of hearing.

Ld. LAC seeks some time to furnish the bail bond.

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 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 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. She pleads not guilty and claims trial.

Put up for confirmation of bail and P.E. on **28.11.2023**.

Let the copy of this order-sheet be sent to the Ld. Secretary, DLSA, North-West District, Rohini Courts, Delhi.

Copy of this order be given dasti to Ld. LAC.

(JITENDRA SINGH)
ASJ (Electricity)/(N-W)
Rohini Courts, Delhi
20.09.2023