

BSES RAJDHANI POWER LTD Vs. NARPAL S/O LALA RAM
(ELECTRONIC SHOP) (Chhawla)

26.07.2024

Present: Sh. Ashutosh Kumar, AR for the complainant.
Sh. Tarun Ruhil, LR for the complainant.
Sh. Sumit Garg, Sh. Shanti Lal and Sh. Vikas, Ld.
Counsel for BSES.
Accused no.1 Narpal in person with Ld. Counsel Sh.
Raj Pal and Sh. Vijay Dagar and Sh. Mahesh Ahlwat.

Verification report filed. Same is taken on record. Perused.

As per verification report, accused no.1 Narpal is residing at the same address. However, accused no.2 has no concern with the impugned premises. It is further submitted by AR for the complainant that accused no.2 may be dropped from the array of parties.

Submissions heard.

In view of the submissions made, accused no. 2 is dropped from the array of parties.

Amended memo of parties filed. Same is taken on record.

Bail application moved on behalf of accused Narpal Same is taken on record.

Arguments on the bail application heard. The impugned theft bill in this case is Rs.7,52,865/-. The allegation is that accused Narpal was found indulged in direct theft of electricity from BSES pole with illegal two core yellow colour cable further connected to black colour two core cable coming into premises wiring and local, despite having electricity meter bearing no.40432523. The connected load at the time of raid is stated to be 18.088 KW for domestic as well as non-domestic purpose.

Ld. Counsel for the accused on the other hand states that the accused is innocent and has been falsely implicated. Ld. Counsel for the accused during the course of arguments submits that the accused be granted bail and he is ready to abide by any reasonable condition imposed by the Court.

Submissions heard. Record perused.

Accused is admitted to bail on furnishing of personal bond and surety bond in the sum of Rs.30,000/- each. In addition to the same and keeping in mind the observations made in *Sanjeet Malik Vs. State of NCT of Delhi & Ors. 2008 SCC online Del 93* and *Karambir Sehrawat Vs. State of NCT of Delhi & Anr. W.P.(CRL) 2176/2022 and CRL. M.A. 18762-63/2022*, it is ordered that accused Narpal shall deposit a sum of Rs. 50,000/- in the office of BSES before next date of hearing.

Bail bonds furnished by accused. Same are considered and accepted.

Submissions on the point of framing of notice heard. *Prima facie* a case for framing of notice under section 251 of Cr.P.C. is made out against the accused. Notice for the offence under section 135 of Electricity Act is framed against the accused to which accused pleaded not guilty and claimed trial.

Put up on 03.09.2024 for evidence of the complainant.

Copy of this order be given dasti.

(Vinod Kumar Meena)
ASJ : Special Electricity Court
Dwarka Courts, New Delhi
26.07.2024