

## Special (Electricity) Case No.8 / 2025

### Order Below Exh.-1:

Herein, Deputy Engineer of P.G.V.C.L. has tendered purshis vide Exh.17 through Ld. Adl.P.P. Mr. V. G. Donga wherein it is stated that the offence has been compounded and even compounding charge has been received by the electricity company and further it is stated that the case may be compounded.

Herein, Section 152 of the Electricity Act, 2003 comes into way which say that:

“152. Compounding of offences.–(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), the Appropriate Government or any officer authorised by it in this behalf may accept from any consumer or person who committed or who is reasonably suspected of having committed an offence of theft of electricity punishable under this Act, a sum of money by way of compounding of the offence as specified in the Table below:

Nature of Service	Rate at which the sum of money for compounding to be collected per Kilowatt (KW)/Horse Power (HP) or part thereof for Low Tension (LT) supply and per Kilo Volt Ampere (KVA) of contracted demand for High Tension (HT)
1. Industrial Service	twenty thousand rupees;
2. Commercial Service	ten thousand rupees;
3. Agricultural Service	two thousand rupees;
4. Other Services	four thousand rupees:

Provided that the Appropriate Government may, by notification in the Official Gazette, amend the rates specified in the Table above.

(2) On payment of the sum of money in accordance with sub-section (1), any person in custody in connection with that offence shall be set at liberty and no proceedings shall be instituted or continued against such consumer or person in any criminal court.

(3) The acceptance of the sum of money for compounding an offence in accordance with sub-section (1) by the Appropriate Government or an officer empowered in this behalf shall be deemed to amount to

an acquittal within the meaning of section 300 of the Code of Criminal Procedure, 1973 (2 of 1974).

(4) The Compounding of an offence under sub-section (1) shall be allowed only once for any person or consumer.”

Therefore, since the compounding charge is received by the Electricity Company and even amount of bill issued by the Electricity Company has been received by the Electricity Company and since Electricity Company itself stated that case may be compounded, therefore, following order is passed:

**-:: ORDER :**

1. The case is hereby disposed of by way of compounding as contemplated by Section 152(2) of the Electricity Act, 2003 and u/s.152 of the said Act, this compounding is deemed to be acquittal and therefore, accused namely **Rambhiben Ramabhai Kisabhai Garchar** is hereby acquitted so far as Special (Electricity) Case No.8/2025 (Cr.Reg. No.II 1531/2023 of G.U.V.N.L. Police Station, Junagadh) is concerned .
2. Bail bond of the accused stands discharged.
3. Muddamal, if any, shall be disposed of in accordance with Law.
4. Yadi of this order be made accordingly.

Signed & pronounced in the open Court  
on this 15<sup>th</sup> day of April, 2026.

Date: 15.04.2026  
Place:Junagadh

(B. G. Dave)  
Sessions Judge  
Junagadh  
[GJ00469]