

ORDER PASSED BELOW EXHIBIT-1

The accused is charge-sheeted for the offence punishable under Section 135 of the Electricity Act. It is alleged against him that on 25.4.2011 at 15.20 hours he found stealing electric energy for electric meter no.MS426202. The authority came to the conclusion that he stole 7704 electric units in last 24 months and caused damages of Rs.1,03,340/- to the MSEDCL. An FIR came to be lodged against him by the Deputy Executive Engineer, Flying Squad.

2 It appears from the record that the accused has deposited compounding amount of Rs.1,00,000/- and electricity charges of Rs.103340/-. He deposited total amount of Rs.2,03,340/-towards compounding. This fact is specifically mentioned in the charge-sheet. It appears that the offence against the accused is already compounded as per Section 152 of the Electricity Act by the officer authorized in this behalf. In spite of this fact charge-sheet is filed against the accused. Proceeding with the matter in such circumstances as per procedure laid down in Sec. 154 of the Electricity Act will lead to harassment of the accused. The accused needs to be set at liberty as per Sec. 152(2) of the Electricity Act. Accordingly, he is set at liberty.

2 Personal bond executed by him is cancelled. Cash Surety of Rs.15,000/-(fifteen thousand), deposited by the accused vide Con. no. 129 dated 1.11.2018 be refunded to him.

8th April, 2021.

(D.V.Kashyap)
Special Judge and
Addl. Sessions Judge,
Parbhani.