

ORDER BELOW EXH.1
IN
SPECIAL ELECTRICITY CASE NO.113/2022

- [1] As per the directions by the Hon'ble Supreme Court, this Court has been selected for pilot case for Plea Bargaining, Probation of Offender Act, or compounding offence. Present case has been identified for compounding offence. The accused has been charged U/s. 135 of the Electricity Act, wherein the first offence has been prescribed to be compoundable offence. The present case is first offence by the accused.
- [2] Notice were issued to the accused and the complainant i.e. Paschim Gujarat Vij Co. Ltd. Both parties were present before the Court and case was amicable settled between both the parties and the accused has paid all the amount including compounding charges towards the consumption of electricity by way of theft. The original complainant i.e. Dy. Engineer of concerned division of Paschim Gujarat Vij Co. Ltd. has given purshis with effect of receiving the payment from the accused and withdrawing the present criminal case against the accused.
- [3] As per Section 152 (2) of Electricity Act-2003, when the person is booked for the offences punishable under this Act, and if such person pay all the amount including the compounding charges, the company shall not file any proceedings or institute any case or even continue with any proceedings filed against such consumer or person in any Criminal Court. Thus, here in this case also, upon the payment of all the charges for consumption of electricity by

way of theft, and also upon payment of all compounding charges, the electricity company has withdrawn the said the case. Therefore, the Special Electricity Case is required to be disposed of accordingly. Therefore, following order is passed.

-:: **ORDER** ::-

- [1]** The criminal case is terminated or disposed of u/s.152(2) of Electricity Act-2003.
- [2]** The disposal of this case shall not effect any other civil liability pending before any Court.

This order pronounced in open Court today, on this 3rd day of January,2023 at Morbi.

DATE: 03/01/2023
PLACE: Morbi.

[Veerat Ashok Buddha]
GJ00702
Sessions Judge,
Morbi