

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

**CRA No. 1271 of 2019**

Shiv Prasad Patel S/o Shri Ugrasen Patel, aged about 46 years, R/o Village Salheona, Police Station Sariya, District Raigarh Chhattisgarh.

---- Appellant

**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station Sariya, District Raigarh Chhattisgarh.

---- Respondent

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27/08/2019	<p>Mr. Roop Naik, Counsel for the Appellant.</p> <p>Mr. Shubham Verma, P.L. for the State/Respondent.</p> <p>Heard on admission as well as I.A. No.01/2019, an application for suspension of sentence and grant of bail to the Appellant.</p> <p>Admit.</p> <p>Call for the record of the Court below.</p> <p>By the impugned judgment date 08.08.2019 passed in Electricity Act Case No. 2060000017/2016 (17/2016) passed by the learned Special Judge, District Raigarh (C.G.), the Appellant has been convicted under Section 135 of Indian Electricity Act, 2003 and directed to pay fine of Rs.7,05,417/- with default stipulation.</p> <p>Learned counsel for the Appellant submits that the Appellant has been wrongly convicted by the Trial Court in the judgment without there being any cogent and reliable evidence in support of the prosecution case. Hence, it is prayed that his application be</p>

allowed and fine amount imposed upon the Appellant by the Trial Court shall remain suspended during pendency of this appeal.

Considering the facts and circumstances of the case and further considering the fact that disposal of the instant appeal is likely to take time, it is directed that on deposit of 30% of the fine amount of Rs.7,05,417/- before the trial Court within 15 days from the date of receipt of this order the sentence to deposit remaining 70% of the fine amount shall remain suspended. If any amount towards fine deposited earlier shall be adjusted in the fine amount of 30%, directed to be paid today.

List this case for final hearing in due course.

**Sd/-**

**(Arvind Singh Chandel)  
Judge**