

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 20104 of 2020**

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REKHABEN JAGDISHBHAI SOLIYA**Versus****THE STATE OF GUJARAT**

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Appearance:**MR BM MANGUKIYA(437) for the Applicant(s) No. 1****MS BELA A PRAJAPATI(1946) for the Applicant(s) No. 1****for the Respondent(s) No. 2****MS MOXA THAKKAR ADDITIONAL PUBLIC PROSECUTOR(2) for
the Respondent(s) No. 1**

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CORAM: HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**Date : 09/02/2021****ORAL ORDER**

Heard learned Advocate Shri B.M. Mangukiya for the applicant and
learned APP Ms. Moxa Thakkar for the respondent no.1- State.

By way of this application under Section 482 of the Code of Criminal
Procedure, 1973 the applicant challenges the criminal complaint being C.R.
No. II-1357 of 2020 registered with GUVNL Police Station, Surat on
27.07.2019 for the offenees punishable under Sections 135, 138 and 150 of
the Electricity Act, 2003.

Learned Advocate Shri Mangukiya for the applicant submits that the present applicant had purchased the property in question and whereas after purchasing the property the present applicant had rented out the property to accused no. 2 of the Criminal Complaint. He further submits that rent deed has been executed between the parties on 13.08. 2016 which is at page 16 of the application. He further submits that the tenant had applied for the electricity connection and whereas the connection at the rented premises was installed in the name of the tenant. He submitted that the applicant was nowhere connected with the electricity connection. Therefore she should not have been arraigned as an accused alleging electricity theft against her.

Considering the submissions made by learned Advocate Shri Mangukiya, issue **Notice returnable on 23.03.2021**. Till then no coercive steps shall be taken against the applicant.

Direct service through E-mail is permitted.

(NIKHIL S. KARIEL,J)

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