SC No. 330/2019
FIR No. 25/2019
PS Uttam Nagar
State Vs. Vandana Dwiedi
U/s 135 of Electricity Act

01.05.2019

Fresh charge sheet received by way of assignment. It be checked and registered.

Present : Ld. Addl. PP for the State.
Sh. Ashutosh Kumar, AR of the complainant company with counsel.
Accused in person with counsel Sh. Yogendra Kumar Diwedi.

Record perused. I take cognizance of the offence.

Vakalatnama filed on behalf of the accused. The same is taken on record.

Case is at the stage of consideration of notice. As submitted by accused that he has already paid the settlement amount of Rs. 90,000/- and no dues certificate has been issued by the complainant company.

Accused prayed for stopping of the proceedings on the ground that he has been financially burdened by paying the settlement amount and now nothing is due against him.

In my considered opinion as the aim and object of the complainant is already fulfilled, no purpose would be served by continuing with the trial further in the present case. Moreover as provided under Section 154 (3) of Electricity Act that the cases under this Act may be tried summarily by applying the provisions

of Section 263 to 265 of Cr.P.C. As provided under Section 135 of Electricity Act offence is punishable for imprisonment which may extend to three years. Though, it is a warrant case, but same is tried summarily as provided under Section 154 (3) of the Electricity Act.

In view of the above mentioned facts and circumstances no purpose would be served by continuing with the trial of the offence as civil liability has already been decided and settled between the parties.

In my opinion, it is a fit case where proceedings should be stopped under Section 258 Cr.PC. Accordingly, the court while protecting the right of the accused to have speedy justice invokes the power conferred upon it under Section 258 Cr.P.C. Accordingly, the proceedings against the accused Vandana Dwiedi in the present case are stopped and accused is hereby released, which shall have the effect of discharge. Bail bonds of the accused are cancelled. Surety, if any stands discharged. Original documents of the surety, if any be returned after cancellation of endorsement. Ordered accordingly. File be consigned to the Record Room. Copy of the order be given Dasti.

(Mukesh Kumar)
ASJ : Special Electricity Court
Dwarka, Delhi : 01.05.2019.