
(2014) 05 MP CK 0208

In the Madhya Pradesh High Court

Case No : Criminal Revision No. 2209/2008

M.P. Rajya Vidyut Mandal

APPELLANT

Vs

Vijay

RESPONDENT

Date of Decision : 09-05-2014

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 397, 401
Electricity Act, 2003 — Section 135, 156

Citation : (2014) 05 MP CK 0208

Hon'ble Judges : Subhash Kakade, J

Bench : Single Bench

Judgement

Subhash Kakade, J.—This revision u/s 156 of the Electricity Act, 2003 read with Section 397/401 of the Code of Criminal Procedure, 1973 has been filed being aggrieved by the judgment of learned First Special Judge Electricity Act, 2003, Sagar, dated 12.11.2008, passed in Special Criminal Case No. 707/2006, convicting the respondent for the offence punishable u/s 135 of the Electricity Act, 2003 (hereinafter referred to as "the Act") and sentencing him to fine of Rs. 4,000/- with default stipulation.

2. Since, no one has appeared on behalf of the applicant, it seems that the applicant has lost interest in prosecuting this petition.

3. The brief facts of the case are that on 19.09.2006 In-Charge of Electricity Distribution Centre, Sihore with his staff went to Village Tehra for inspection. During inspection it was found that accused was committing theft of electricity by connecting wire illegally and dishonestly in LT Electric Line and was operating Floor Mill.

4. On appreciation of the evidence, the learned trial Court held the accused guilty of commission of offence u/s 135 of the Act by passing the impugned judgment.

5. The ground raised in the petition that the learned trial Court while convicting and sentencing the accused wrongly assessed/calculated the loss of revenue

cause to applicant/complainant and imposed a meager amount of compensation on the accused/respondent.

6. After perusal of the available record as well as impugned order, it is clear that learned Court below rightly calculated the amount of compensation and imposed fine amount on the respondent, which does not warrant any interference.

7. Accordingly, the revision stands dismissed.