



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 11 of 2023

- Ranjit Kispotta S/o Late Manvel Kispotta Aged About 45 Years R/o Jhiliberna, Tapkara, Police Station - Tapkara, District - Jashpur (C.G.)

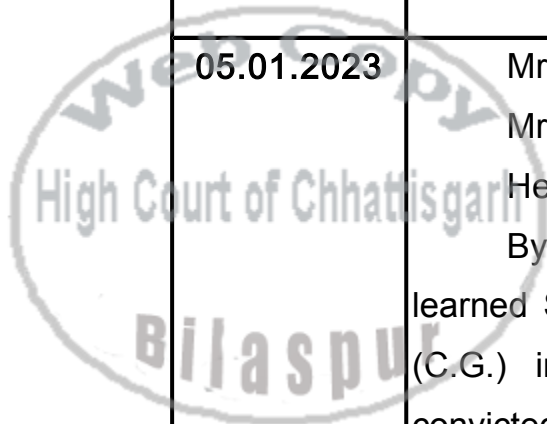
---- Appellant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Tapkara, District - Jashpur (C.G.)

---Respondent

| 05.01.2023 | <p>Mr. Manoj Chauhan, counsel for the appellant. Mr. Rishabh Singh Deo, Panel Lawyer for the State. Heard on application for suspension of sentence. By the impugned judgment dated 16.12.2022 passed by the learned Special Judge under Indian Electricity Act, 2003, Jashpur (C.G.) in Electricity Case No. 02/2020, the appellant stands convicted, as under:-</p> <table border="1" data-bbox="446 1354 1485 1638"> <thead> <tr> <th data-bbox="446 1354 836 1407">Conviction</th> <th data-bbox="836 1354 1485 1407">Sentence</th> </tr> </thead> <tbody> <tr> <td data-bbox="446 1407 836 1522">U/s 135 of the Electricity Act, 2003</td> <td data-bbox="836 1407 1485 1522">: R.I. for 1 year and fine of Rs.500/-</td> </tr> <tr> <td data-bbox="446 1522 836 1638">U/s 138 of the Electricity Act, 2003</td> <td data-bbox="836 1522 1485 1638">: R.I. for 1 year</td> </tr> </tbody> </table> <p>Learned counsel for the appellant would submit that the appellant has been falsely convicted without appreciating the evidence on record, the appellant has been awarded short sentence of one year and fine of Rs. 500/- which he has already deposited.</p> | Conviction | Sentence | U/s 135 of the Electricity Act, 2003 | : R.I. for 1 year and fine of Rs.500/- | U/s 138 of the Electricity Act, 2003 | : R.I. for 1 year |
|--------------------------------------|---|------------|----------|--------------------------------------|--|--------------------------------------|-------------------|
| Conviction | Sentence | | | | | | |
| U/s 135 of the Electricity Act, 2003 | : R.I. for 1 year and fine of Rs.500/- | | | | | | |
| U/s 138 of the Electricity Act, 2003 | : R.I. for 1 year | | | | | | |





Further the appeal being of the year 2023, final hearing of the same will likely to take time, the sentence be kindly be suspended. .

On the other hand, learned State counsel would submit that the appellant has rightly been convicted after appreciating the facts and materials available on record, hence, the application for suspension of sentence be kindly rejected.

Considering the fact that the maximum jail sentence awarded to the appellant is RI for one year and further considering the fact that the appeal being of the year 2023, final hearing of the same will likely to take time, I am inclined suspend the sentence awarded to the appellant and release him on bail.

Accordingly, application for suspension of sentence and grant of bail is allowed and it is directed that execution of further substantive jail sentence of the appellant shall remain suspended and he shall be released on bail on his executing a personal bond in sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of trial Court for his appearance before the Registry of this Court on **8th February, 2023**. He shall thereafter appear before the trial Court on a date to be given by the Registry of this Court and shall continue to appear there on all such subsequent dates as are given to him by the said court till the disposal of this appeal.

Call for record.

List this appeal for final hearing.

**Sd/-
(Narendra Kumar Vyas)
Judge**