

Court No. - 90

Case :- APPLICATION U/S 482 No. - 39736 of 2023

Applicant :- Pradeep Gupta

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Rajesh Pandey

Counsel for Opposite Party :- G.A., Mukesh Kumar Singh

Hon'ble Dinesh Pathak, J.

1. Heard learned counsel for the applicant, learned counsel for electricity department and the learned A.G.A.

2. The applicant has invoked the inherent jurisdiction of this Court under Section 482 Cr.P.C. for quashing the charge-sheet no.430 of 2022 dated 04.06.2022 (State vs. Pradeep Gupta) and entire proceedings of Case Crime No.386 of 2023 under Section 135 of Electricity Act, 2003, P.S. Anti Power Theft Thana, District Pilibhit.

3. After due deliberations at length, without pressing the case on its merit, learned counsel for the applicant submits that, initially, demand notice dated 23.03.2022 amounting Rs.61,430/- has been issued against the present applicant for electricity dues, however, now the present applicant is ready and willing to deposit the said amount for compounding the offence under Section 152 of the Electricity Act.

4. Learned counsel for the electricity department has no objection, if a direction is issued to the authority concerned for compounding of offence.

5. In this conspectus, as above, no useful purpose would be served to keep this application pending, therefore, this Court deems it appropriate to decide the instant application, without entering into the merits of the case, granting liberty to the present applicant to move an appropriate application before the authority concerned for compounding the offence for which he has been arraigned in the charge-sheet, within a period of four weeks from today along with a certified copy of this order. On receipt of the said application, the authority concerned shall consider and decide the said application preferably within a period of two months from the date of receiving the said application and submit a report before the

court concerned in Case Crime No.386 of 2023.

6. For a period of three months or till the decision on the said application, whichever is earlier, no coercive action shall be taken against the applicant in Case Crime No.386 of 2023 under Section 135 of Electricity Act.

7. With the aforesaid direction, the instant application stands **disposed of**.

Order Date :- 15.12.2023

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