

Court No. - 91

Case :- APPLICATION U/S 482 No. - 40781 of 2023

Applicant :- Santosh @ Santosh Kumar

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

Counsel for Applicant :- Phoolbadan Yadav

Counsel for Opposite Party :- G.A.,Baleshwar Chaturvedi

Hon'ble Gajendra Kumar,J.

1. Heard learned counsel for the applicant and learned AGA for the State.

2. The present application u/s 482 Cr.P.C. has been filed by the applicant with the prayer to quash the charge sheet dated 06.11.2015 and cognizance order dated 25.06.2016 in S.S.T. No.1309 of 2016, arising out of Case Crime No.205 of 2015, under Section 135 of Electricity Act, Police Station Basai Mohammandpur, District Firozabad.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present due to ulterior motive. As the matter relates to the offence under Section 135 of Electricity Act, which is compoundable one. There is no use in continuation of the proceedings.

4. On the other hand, learned AGA has opposed the prayer but could not dispute the facts that as the offence is compoundable. It is better for the applicant to move an application before the trial court for the compounding of the offence.

5. However, without expressing any opinion on the merits of the case, the application is disposed off with a direction to the

applicant to move an application within a period of four weeks from today before the court concerned for compounding of the offence, which shall be considered and decided by the court below in accordance with law. For a period of four weeks from today, no coercive action shall be taken against the applicant.

6. With the aforesaid observations, the application u/s 482 Cr.P.C. is **disposed off**.

Order Date :- 23.11.2023
Sanjeet