

Court No. - 91

Case :- APPLICATION U/S 482 No. - 39741 of 2023

Applicant :- Amresh Patel

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

Counsel for Applicant :- Ranjeet Asthana

Counsel for Opposite Party :- G.A.,Rishu Mishra

Hon'ble Gajendra Kumar,J.

1. Heard Sri Ranjeet Asthana, learned counsel for the applicant, Ms. Rishu Mishra, learned counsel for the U.P. Power Corporation Limited and learned AGA for the State.

2. This application u/s 482 Cr.P.C. has been filed by the applicant with the prayer to quash the order dated 10.07.2023 as well as the entire proceeding of S.T. No.124 of 2022, arising out of Case Crime No.290 of 2019, under Section 135(1)(A) of Electricity Act, P.S. Anti Power Theft Kotwali, District Maharajganj.

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(1)(A) of Electricity Act, which is compoundable one. There is no use in continuation of the proceedings.

4. On the other hand, learned AGA as well as counsel for the U.P. Power Corporation Limited have 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 for compounding the case before the court concerned, which shall be heard and decided by the court below in accordance with law as expeditiously as possible.

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

Order Date :- 17.11.2023

Sanjeet