

Court No. - 91

Case :- APPLICATION U/S 482 No. - 37460 of 2023

Applicant :- Jitendra Tiwari

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Amit Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar,J.

1. Heard learned counsel for the applicant, learned counsel for the State and perused the record.
2. This application under Section 482 Cr.P.C. has been filed by the applicants with the prayer to quash the charge sheet dated 2.8.2022 and summoning order dated 6.12.2022 in Case No.835 of 2022 (State vs. Jitendra Tiwari) arising out of Case Crime No.226 of 2020, U/s 135 of Electricity Act, 2003, P.S. Anti Power Theft, District Chandauli, pending before the court of Additional District and Session Judge-I, Chandauli with a further prayer that proceedings of the aforesaid case be stayed against the applicants.
3. It is submitted by learned counsel for the applicant that the matter has been compromised as good sense has prevailed between the parties. Therefore, no useful purpose would be served in continuing the proceedings before the Court below and the same is not only sheer wastage of time of the Court but also abuse of process of law.
4. Learned counsel for the State has opposed the prayer for quashing the aforesaid proceedings.
5. Considering the facts and circumstances of the case, it is directed that the applicant may approach the court concerned by moving an application for compounding the case as the offence under section 135 of Electricity Act is compoundable. The trial court to decide the aforesaid application within four weeks, if any, moved before it, as expeditiously as possible, without granting any unnecessary adjournment to either of the parties, in accordance with law.
6. The petition is accordingly **disposed of.**

7. For a period of four weeks, no coercive action shall be taken against the applicant.

Order Date :- 3.11.2023/ Shiv