

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 16457 of 2023

Petitioner :- Ram Pratap Yadav

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Ram Prakash

Counsel for Respondent :- G.A.,Narendra Kumar Tiwari

Hon'ble Rahul Chaturvedi,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

Heard Sri Ram Prakash, learned counsel for the petitioner, Sri Narendra Kumar Tiwari, learned counsel for the Electricity Department as well as learned A.G.A. appearing for the State-respondents and perused the record.

This FIR has been lodged by J.E., Jay Prakash Pathak against the petitioner under Section 135- 1 (a) of the Electricity Act. From the reading of the FIR, it is a case of the theft of electricity though this FIR is ac-compoundable in nature and under Section 135 of the Electricity Act, 2003. In the event the petitioner approaches the authority concerned within 15 days with the offer of compounding and deposit the compounding fees, the authority concerned shall after summoning the contesting party shall decide the quantum of the compounding within next four weeks and shall pass a judicial reason order. After the decision of the authority concerned regarding the compounding it is binding upon the petitioner to deposit the sum of total out set amount as decided by the authority concerned within a period of one month of the said order of concerned authority, for the next period of three months the petitioner shall be protected and shall not be arrested, provided he

deposit the entire sum as calculated by the concerned authority while deciding the compounding application. If the petitioner fails to deposit amount it shall be open for the respondent nos. 2 & 3 to proceed against the petitioner and recovered the amount forcibly.

With the above observation, the writ petition is **disposed of**.

Order Date :- 18.10.2023

Israr