

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 17640 of 2023

Petitioner :- Santosh Giri

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

Counsel for Petitioner :- Rajesh Kumar Dubey, Manoj Kumar Maurya

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla, J.

Hon'ble Vinod Diwakar, J.

1. Heard Sri Mohit Gautam, holding brief of Sri Rajesh Kumar Dubey, learned counsel for the petitioner, learned AGA for the State-respondents and Ms. Ishita Singh, holding brief of Sri Rishu Mishra, learned counsel who has accepted notice on behalf of the Corporation-respondent no. 4.

2. This writ petition has been filed praying to quash the first information report dated 22.12.2022, registered as Case Crime No. 1327 of 2022, under sections 135-1 (a) of the Indian Electricity (Amendment) Act, 2003, Police Station: Anti Power Theft, Thana Deoria, District: Deoria.

3. Learned counsel for the petitioner states that the petitioner will apply for compounding before the competent authority as per the provisions of section 152 of the Indian Electricity Act, 2003.

4. Learned counsel for the respondents states that if the petitioner applies for compounding within two weeks from today, his application for compounding shall be considered in accordance with law and appropriate order shall be passed thereon.

5. In view of the aforesaid and without expressing any opinion on merits of the petitioner, this writ petition is disposed of giving liberty to the petitioner to apply for compounding before the competent authority in accordance with law within two weeks from today along with a copy of this order and in the event a compounding application is filed by the petitioner, the same shall be considered and decided by the competent authority in accordance with law within next one week.

6. For a period of three weeks from today, no coercive action shall be taken against the petitioner.

Order Date :- 12.12.2023

Abhishek