

Court No. - 93

Case :- APPLICATION U/S 482 No. - 44437 of 2023

Applicant :- Pramod Kumar Singh And Another

Opposite Party :- State Of U.P.And 3 Others

Counsel for Applicant :- Shivendra Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicants have filed this application under Section 482 Code of Criminal Procedure for quashing the charge sheet dated 23.12.2022 filed under Section 173(2) Cr.P.C., in Case Crime No. 322 of 2022, registered under Section 138 (1) (b) Indian Electricity (Amendment) Act, 2003, Police Station Anti Power Theft Mirzapur, District Anti Power Theft Mirzapur as well as the cognizance and summoning order dated 18.3.2023 passed by Additional Sessions Judge (Special) Court Electricity Act, Mirzapur in E.S.T. No. 259 of 2023 and the proceedings arising therefrom.

Learned counsel for applicants submits that applicants are willing to compound the alleged offence of theft of energy registered through impugned F.I.R., wherein after investigation, the final report stands submitted under Section 173(2) Cr.P.C. on 23.12.2023.

During the course of hearing, it is not disputed by learned counsel that final report is yet to be evaluated by the trial court as till date the charges have not been framed, therefore, at this stage, this Court deems it appropriate to relegate the applicants to raise this issue of compounding the alleged commission of offence before the trial court in accordance with law.

With these observations, the application is disposed of.

Order Date :- 5.12.2023

P.S.Parihar