

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 18801 of 2023

Petitioner :- Prashant Kamal @ Prashant Kumar

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

Counsel for Petitioner :- Ranjeet Kumar Mishra

Counsel for Respondent :- G.A.,Baleshwar Chaturvedi

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Ranjeet Kumar Mishra, learned counsel for the petitioner, Sri Baleshwar Chaturvedi, learned counsel for the respondent nos.4 and learned AGA for the State.

2. The writ petition seeks quashing of the first information report dated 23.04.2022 giving rise to Case Crime No.841 of 2022, under Section 135 of the Indian Electricity (Amendment) Act, 2003, Police Station-Anti Power Theft Thana Hathras, District Hathras.

3. The contention of learned counsel for the petitioner is that the petitioner shall 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 respondent no.4 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, no coercive action shall be taken against the petitioner pursuant to the impugned FIR.

Order Date :- 4.12.2023

A.Kr.