

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4447 of 2023

Petitioner :- Ramjanam Verma Alias Ram Janam

Respondent :- State Of U.P. Thru. Prin. Secy. Home Deptt. And Others

Counsel for Petitioner :- Rachit Sondhi, Pramod Kumar Pandey

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed,J.

Hon'ble Umesh Chandra Sharma,J.

1. Learned counsel for the petitioner is permitted to incorporate Executive Engineer as the respondent No. 5 in the array of parties during the course of the day.

2. Heard Shri Rachit Sondhi, the learned counsel for the petitioner, Shri Dinesh Singh Rana, the learned AGA for the State-respondent Nos. 1 & 2 as well as Amit Dwivedi, the learned counsel for the respondent No. 5-Power Corporation.

3. The petitioner in the present writ petition is seeking quashing of the First Information Report dated 28.05.2023 registered as F.I.R. No. 1016 of 2023, under Section 135-1(b) of Indian Electricity Act, 2003, registered at Police Station Anti Power Theft, District Ayodhya with all its consequential effects and with a further prayer, not to arrest the petitioner in pursuance of the said First Information Report.

4. Learned counsel for the petitioner, learned AGA for the State and the learned counsel for the respondent No. 5 jointly submit that the offence as mentioned in the impugned first information report is compoundable, under Section 152 of the Electricity Act, 2003, therefore, the petitioner may apply for compounding.

5. In view of the aforesaid and with the consent of the learned counsel for the parties, we **dispose of** this writ petition with liberty to the petitioner to apply for compounding before the competent authority within two weeks. In the event, compounding application is filed by the petitioner within stipulated period, it shall be decided by the competent authority/court within next four weeks.

6. For a period of six weeks or till the decision on the compounding application of the petitioner is taken by the authority/ court concerned, which ever is earlier, no coercive action shall be taken against the petitioner.

Order Date :- 8.6.2023

Mustaqeem