

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11751 of 2023

Applicant :- Anurag Mishra And Another

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, U.P. Lucknow And Another

Counsel for Applicant :- Praveen Tripathi, Sudha Pal

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the petitioner/ applicants and learned AGA for the State as well as perused the record.

The present petition has been filed for the following main relief:-

"Wherefore it is most respectfully prayed that this Hon'ble Court be pleased to quash the Charge Sheet No. 1/2022 relating to Case Crime No. 22 of 2021 under section 136(1)(a) and 136(1)(b) Indian Electricity Act 2003 police station Umari Begamganj District Gonda, and summoning order dated 28-07-2021 passed by Additional District and Sessions Judge / Special Judge (E.C.) Act, Room No.4, District Gonda as well as criminal proceedings arising there from. It is further prayed that this Hon'ble Court be pleased to stay the further proceedings of Session Case No. Nil State Versus Anurag Mishra and others pending in the court of Additional District and Sessions Judge/ Special Judge (E.C.) Act, Room No.4, District Gonda during the pendency of instant Petition in the interest of justice."

After arguing at some length, learned counsel for the applicants has submitted that liberty may be given to file bail application as also the application for compounding of offence before the trial court which may be decided after taking note of relevant statutory provision as also law propounded by the Hon'ble Apex Court including the law laid down by Hon'ble Supreme Court in order dated 7.10.2021 passed in Petition for **Special Leave to Appeal (Cri) No.5191 of 2021 Satender Kumar Antil versus Central Bureau of Investigation and another.**

Learned AGA has no objection to the prayer made by learned counsel for the applicants.

Accordingly, the present petition is **disposed of** with liberty to the applicants to file bail application as also the application seeking compounding of offence and it is expected that the same would be decided after taking note of relevant statutory provision as also the law propounded by the Hon'ble Apex Court including the law laid down in the case of **Satender Kumar Antil versus Central Bureau of Investigation and another (supra).**

Order Date :- 6.12.2023

Jyoti/-