

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.9054 of 2015

ORDER :

This petition is filed by the petitioner/A-1 under section 482 Cr.P.C seeking to quash the proceedings in S.C. No.56 of 2015 on the file of I Additional District and Sessions Judge-cum-Special Judge for Electricity Cases, Prakasam District at Ongole in which the learned District Judge taken cognizance for the offence punishable under Section 135(1)(a)(b) and 138 of the Electricity Act, 2003.

2) Heard the learned counsel for the petitioner and also the 1st respondent-State represented by the Public Prosecutor before admission and perused the material on record.

3) The provisional assessment amount was Rs.1,38,308/- and the compounding amount as per the final report column No.11 is Rs.1,18,000/- vide receipt passed by the APSPDCL, Ongole for the service Connection No.113, RC No.24653, dated 24.03.2012 and attested copy issued by the Assistant Accounts Officer in proof of it on 30.10.2012. The compounding amount of Rs.1,18,000/- is shown paid vide challan No.26129 before the Sub-treasury Officer, Ongole through State Bank of India challan dated 04.09.2015 vide Treasury P.A.O Code 0711 towards compounding.

4) In view of the same, the criminal petition is allowed by directing the trial Court to consider genuineness of the two receipts therefrom compounding the offence by virtue of this direction.

5) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

29.10.2015
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