

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 162 of 2016

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Sanjay Kumar Singh, S/o Kamlapati Singh, Resident of Village - Sabar,
P.S. - Karamchat, District - Kaimur

.... Petitioner

Versus

1. The State of Bihar through its Secretary, Energy Department, Bihar,
Patna
2. The South Bihar Power Holding Corporation Limited, Vidhyut Bhawan,
Bailey Road, Patna
3. The Officer-in-Charge, Kramchatt Police Station, District Kaimur

.... Respondents

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Appearance :

For the Petitioner : Mr. Dharmendra Kumar Singh, Advocate

For the O.P. No. 2 : Mr. Ajay Kumar Gautam, Advocate

For the State : Mr. Kumar Kamal Nayan, A.C. to S.C. (33)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 19-07-2016 Heard learned counsel appearing on behalf of the

petitioner and the State.

This application is directed for quashing of

Karamchatt Police Station Case No. 41 of 2015, dated 16.12.2015

registered for the offence under Section 379 of the Indian Penal

Code and Section 135 of the Indian Electricity Act, 2003.

Learned counsel appearing on behalf of the South

Bihar Power Holding Corporation Limited submits that if the

petitioner applies for compounding for the offence in terms of

Section 152 of the Electricity Act, 2003 the company shall not

object to it and allow the offence to be compounded keeping in

mind, the Division Bench decision in the case of **Mosmat Swaran**

@ Swaran Manraw v. the State of Bihar and Another reported in **2012(2) PLJR 229.**

In view of the said stand taken on behalf of the respondent no. 2, this application stands disposed of with an observation that if the petitioner applies for compounding of the offence by paying the compounding fee as prescribed under Section 152 of the Act, the respondent no. 2 shall proceed, accordingly, for compounding of the offence, keeping in mind the Division Bench decision in the case of **Mosmat Swaran @ Swaran Manraw v. the State of Bihar and Another** reported in **2012(2) PLJR 229.**

(Chakradhari Sharan Singh, J)

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