

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.26692 of 2016

ORDER:

1. In this writ petition, filed under Article 226 of the Constitution of India, the petitioner seeks a direction to the fourth respondent (sic. third respondent) to accept petitioner's request to compound the offence in C.C.No.29 of 2015 on the file of the Court of the I Additional District and Sessions Judge, Nellore.

2. Heard the learned counsel for the petitioner, Smt.J.Koteswari Devi, learned standing counsel appearing for respondents 1 to 3 and the learned Government Pleader for Home (Andhra Pradesh).

3. A perusal of the record reveals that the petitioner is facing trial for the offences punishable under Sections 135(b), 138(a)(b) and 150 of Electricity Act in C.C.No.29 of 2015 on the file of the Court of the First Additional District and Sessions Judge, Nellore. It is the case of the petitioner that he committed the alleged offence for the first time. For one reason or other, the petitioner has not approached the third respondent so far. The only request made by the petitioner is to permit him to make an application to the third respondent seeking for compounding of the offence.

4. Having regard to the facts and circumstances of the case and also in view of the submissions made by both counsel, the petitioner is at liberty to approach the third respondent and file an application for compounding of the offence. On such application, the third respondent is hereby directed to follow the procedure as contemplated under Section 152 of the Electricity Act and dispose of the same.

5. With the above direction, this writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

August 9, 2016.

Rns