

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20027 of 2014

Arising Out of PS.Case No. -21 Year- 2013 Thana -UJIYARPUR District- SAMASTIPUR

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Surendra Paswan S/o Balo Paswan R/o Village Ram Nagar, P.S. Ujjairpur, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. North Bihar State Power Holding Company Ltd.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 11-07-2017

1. Heard both sides.
2. This is an application under Section 482 of the Cr.P.C. for quashing the order dated 18.01.2014 passed by Sri. A.K. Singh, J.M. 1st Class, Dalsing Sarai in Ujiarpur P.S. Case no. 21 of 2013 whereunder he took cognizance for the offence under Section 135 of the Electricity Act.
3. Learned counsel for the petitioner submits that the petitioner is ready to settle the dispute under the provision of Section 152 of the Electricity Act. The petitioner has already deposited an amount of Rs. 50,000/- on 23.12.2013 and so this criminal miscellaneous application be disposed of.
4. On perusal of the F.I.R., I find that this petitioner was found



committing theft of the electricity by fixing a hook in supply wire. The anticipatory bail of the petitioner was allowed on 16.09.2013 passed in Cr. Misc. no. 24918 of 2013 with a condition that he would deposit Rs. 50,000/- towards loss caused to the department. From the order sheet of lower court, it appears that this amount was deposited as first installment.

5. Considering the facts and circumstances of the case, it is directed that if the petitioner applies for compounding the case, the same shall be considered in accordance with Section 152 of the Electricity Act whereafter parties shall take steps for compounding of the offence in the light of decision of this Court in case of Mosmat Swaran Vs. State of Bihar reported in 2012(2) PLJR 229.
6. This Cr. Misc. application is, accordingly, disposed of.

(Sanjay Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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