

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO.878 OF 2017
(Netram s/o Laxman Mane vs. State of Maharashtra and another)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri V.R. Borkar, Advocate for applicant.
Shri C.A. Lokhande, Additional Public Prosecutor for
respondent no.1.
Shri S.V. Purohit, Advocate for respondent no.2.

CORAM : P.N. DESHMUKH AND
 ROHIT B. DEO, JJ.

DATED : JANUARY 21, 2019

Heard learned Counsel for the parties.

The parties have placed on record joint pursis dated 21/1/2019 and same is marked as "X" for identification. The applicant and respondent no.2 are also present in the Court and they admit the terms as stated in the joint pursis.

Challenge in this criminal application is to First Information Report No.5626/2014 registered at Police Station, Tirora for offence punishable under Section 135 of the Electricity Act, 2003.

During the pendency of present application, as per order dated 26/4/2018 passed by this Court, applicant has deposited theft assessment charges of Rs.30,100/- with the Registry of this Court.

In view of deposit of such amount and since offence is compoundable as per provisions of Section

152 of the Electricity Act, 2003, learned Counsel for the parties submit that application be allowed with direction to applicant to make payment of compounding charges as contemplated under Section 152 of the Electricity Act, 2003.

In the circumstances, we find no impediment in allowing the application. The same is, therefore, allowed in terms of prayer clauses (i) and (i-A) thereof.

Maharashtra State Electricity Board, Tirora shall be entitled to withdraw the amount of Rs.30,100/- deposited with the Registry of this Court.

The criminal application is allowed subject to applicant making payment of compounding charges to respondent no.2 within a period of four weeks from today. No order as to costs.

JUDGE

JUDGE

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