

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.246 of 2020

Arising Out of PS. Case No.-31 Year-2019 Thana- PHULWARIYA District- Gopalganj

ANWAR HUSSAIN Son of Late Hazi Md. Usman Resident of Village-
Qazipur, P.S.- Phulwaria, District- Gopalganj ... Petitioner
Versus

1. THE SATE OF BIHAR THROUGH SECRETARY, DEPARTMENT OF HOME, GOVT. OF BIHAR, PATNA Bihar
2. The Director General of Police, Bihar
3. The Superintendent of Police, Gopalganj
4. The Executive Electrical Engineer, Gopalganj
5. The Junior Electrical Engineer, Phulwaria, Gopalganj ... Respondents

Appearance :

For the Petitioner : Mr.Rahul Nath, Adv.
For the Respondents : Mr.M. Nasrul Hoda Khan, SC

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and the State.

The petitioner has filed the writ petition to quash the first information report of Phulwaria P.S. Case No. 31 of 2019 under Section 135 of the Electricity Act, 2003.

Counsel submits that Section 135 of the Electricity Act is compoundable offence but since charge sheet has not been filed till date in this case it is due to this reason this case is pending and no further proceeding is going on.

Counsel for the State submits that since the Electricity Act is compoundable in nature, therefore, no need of interference in the first information report. The compoundability of the Electricity Act is in such nature that



upon compounding a case is used to be closed.

In this view of the matter, the Superintendent of Police, Gopalganj, (respondent no. 3) is directed to look into the matter and direct the concerned official to conclude the charge sheet. Upon conclusion of the charge sheet, the petitioner is at liberty to move before the competent Court for compounding the offence and the Court shall take step in accordance with law within two weeks thereafter.

With this observation, this writ application is disposed off.

(Dr. Anshuman, J)

Shamshad/-

U		T	
---	--	---	--

