2026:AHC:211853

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 43839 of 2026

Amit Kumar Singh

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite Party(s)

Counsel for Applicant(s) : Praveen Kumar Pandey, Sanjay Pathak
Counsel for Opposite Party(s) : G.A., Rishu Mishra

Court No. - 73

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for applicant, Sri Baleshwar Chaturvedi, Sri Narendra Kumar Tiwari and Ms. Reshu Mishra leaned counsel for the Po wer Corporation, learned A.G.A. for the State and perused the record.

2. This application has been filed by the applicant, with a prayer to quash the entire proceedings of Sessions Trial No.1623 of 2026 (State Vs. Amit Singh) arising out of Case Crime No. 823 of 2023 under Section 135 of Indian Electricity Act (Amendment) 2003, Police Station Anti Power Theft, District Kushinagar pending before learned Additional District and Sessions Judge, Court No.4, District Kushi Nagar at Padrauna and also to quash the charge sheet dated 17.06.2025 as well as cognizance order dated 09.04.2026 passed in the aforesaid case.

3. Learned counsel for the applicant submits that since offence in question is compoundable and the applicant is ready to settle the matter, therefore, some time may be granted to him for the said purpose and to approach the authority concerned under Section 152 of the Electricity Act.

4. Learned counsel for the Power Corporation as well as learned A.G.A. has no objection, if the offence is compounded under the relevant provision of the Electricity Act.

5. Having regard to the facts and circumstances of case and having considered the submissions made by learned counsel for parties and keeping in view the willingness shown by learned counsel for applicant,

this Court is of the view that no useful purpose would be served by keeping this application pending.

6. In view of above, it is provided that in case, the applicant moves an application for compounding under the relevant provisions of Electricity Act before the concerned authority within two weeks from today along with the certified copy of this order before the authority concerned, the same shall be considered and decided by the authority concerned as expeditiously as possible in accordance with law, preferably within a period of six weeks months from the date of production of same after hearing the parties concerned.

7. For a period of two months or till the disposal of said application, whichever is earlier, no coercive action shall be taken against applicant in the aforesaid case.

8. In case of default on the part of applicant, interim protection granted to applicant shall automatically come to an end.

9. With the aforesaid observations, this application stands finally disposed of.

(Dr. Gautam Chowdhary,J.)

October 8, 2026
S.Ali

Digitally signed by :-
SHAUKAT ALI
High Court of Judicature at Allahabad