2026:AHC:211847

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 43883 of 2026

Vinod Yadav

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Munna Lal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 73

HON'BLE DR. GAUTAM CHOWDHARY, J.

1. Heard learned counsel for applicant, Sri Narendra Kumar Tiwari leaned counsel for the Power 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 Special Sessions Trial No. 428 of 2023 (State Vs. Dharmendra Kumar Yadav and another) arising out of Case Crime No. 250 of 2019 under Section 135 of Indian Electricity Act (Amendment) 2003 and Section 120-B I.P.C., Police Station Jhunsi, District Prayagraj pending before learned Special Judge (E.C.Act), District Prayagraj and also to quash the charge sheet dated 30.09.2020 as well as cognizance order dated 12.05.2023 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