

Allahabad High Court

Raees Uddin vs State Of U.P. & Others on 4 August, 2010

Court No. - 42

Case :- CRIMINAL MISC. WRIT PETITION No. - 14083 of 2010

Petitioner :- Raees Uddin

Respondent :- State Of U.P. & Others

Petitioner Counsel :- S.N. Imam

Respondent Counsel :- Govt. Advocate, Pankaj Kumar Shukla

Hon'ble Imtiyaz Murtaza, J.

Hon'ble Naheed Ara Moonis, J.

Heard learned counsel for the petitioner, learned A.G.A. for the State and Sri Pankaj Kumar Shukla appearing on behalf of U.P. Power Corporation.

We have been taken through the allegations contained in the F.I.R. and the material on record.

Learned counsel for the power corporation submits that Rs.1,00,000/- is due against the petitioner as compounding charges. Learned counsel for the petitioner states that the petitioner is ready to make payment of Rs.1,00,000/- within twenty days from today. Learned counsel for the Power Corporation prays for and is allowed two weeks time to file counter affidavit. Learned A.G.A. may also file counter affidavit within the same period. Rejoinder affidavit may thereafter be filed within one week.

List this case after the expiry of the aforesaid period. Till next date of listing or till submission of charge sheet whichever is earlier, the arrest of the petitioner, namely, Raees Uddin who is wanted in case crime No.336 of 2010 under Section 135 Electricity Act, P.S. Nahtaur, District Bijnor shall remain stayed subject to the condition that the petitioner deposits the above amount within the stipulated period, and in case of default the benefit of this order will not be extended to the petitioner.

However, it is made clear that this order will have no effect on realization of Electricity charges due against the petitioner and the amount so deposited by him will be adjusted at the time of final settlement between the parties.

Order Date :- 4.8.2010 Mustaqeem.