

(2011) 09 UK CK 0128

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 828 of 2011 and Stay Application No. 10021 of 2011

Mohd. Ahsan Ali

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 22-09-2011

Acts Referred:

Constitution of India, 1950 — Article 226
Electricity Act, 2003 — Section 135

Citation : (2011) 09 UK CK 0128

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Prafulla C. Pant, J.—Heard.

2. By means of this writ petition moved under Article 226 of Constitution of India, the Petitioner has sought quashing of the First Information Report dated 07.07.2011, registered as Crime No. 88 of 2011, relating to offence punishable u/s 135 of Electricity Act, 2003, Police Station Pathari, District Hardwar.

3. A team of officers of the Uttarakhand Power Corporation, on inspection, said to have found the Petitioner, and some other accused taking direct line of power from the transmission wires, and thereby committed theft of electricity. Learned Counsel for the Petitioner pleaded that Petitioner is innocent. It is also submitted that there is no public witness of the inspection made by the team of Uttarakhand Power Corporation.

4. However, having considered submissions of learned Counsel for the Petitioner, and after going through the papers on record, in the facts and circumstances of the case, this Court is not inclined to interfere with the investigation of the case.

5. Therefore,, the writ petition is dismissed summarily with the observation that if the Petitioner Mohd. Ahsan Ali surrenders before the court concerned, may be

heard and disposed of without unreasonable delay. (Stay Application No. 10021 of 2011, stands disposed of).