

In the Court of
Additional Dist. & Sessions Judge cum M.A.C.C. Tribunal Judge, 1st
Court, Tamluk, Purba Medinipur cum Special Judge, Purba Medinipur at
Tamluk

Present: Md. Rafique Alam.
Addl. District & Sessions Judge,
1st Court, Tamluk, Purba Medinipur

S.C(E) 36 (04) 2016
Reg No.291/2016
CNR Number WBEM010019122016

Order No.16/ Date. 04.06.2026

The case record is put up today by a put up petition.

Accused **Swapan Jana** surrenders before this Court. The accused person is taken into custody and remanded to J/C.

Another petition praying for bail is filed on behalf of accused person namely **Swapan Jana** supported by affidavit, along with Vokatnama, final assessment order, final assessment bill, money receipt showing payment of Rs.3,25,816/- and xerox copy of adhar card .

Ld. Advocate for the accused prays for bail on the ground that this accused has already paid the amount of final assesment to the WBSEDCL. According to him there is no chance of absconding as this accused has fixed place of residence within the teritorial jurisdiction of this Court and as such, prayer for bail may be allowed.

Ld. P.P-In-charge submits for passing necessary order.

Having regard to the nature of the alleged offence, I am of the considered opinion that one opportunity should be given to the accused prior to curtailing his personal liberty.

Hence, prayer for bail is allowed.

Accused **Swapan Jana** find bail of Rs.500/- with one registered surety , i.d to J/C.

If on bail, to date for appearance of the accused person.

Recall W/A.

D/C by me,

Judge, Special Court,
Tamluk, Purba Medinipur.

Judge, Special Court,
Tamluk, Purba Medinipur.

Later

Bail bond of Rs.500/- is furnished by the surety namely,Suvendu Manna on behalf of the accused person namely, **Swapan Jana**, which is found duly fit and hence accepted.

The accused person is released on bail.

To date.

Judge, Special Court,
Tamluk, Purba Medinipur.

Later.

Another petition supported by affidavit is filed expressing his intention to plead guilty. Copy is supplied to the Ld. P.P., In-charge.

Ld. P.P.-in-charge and Ld. Defence Advocate are both present.

The case record is taken up for charge hearing.

Perused the case record.

It appears to me, prima facie charge for offence punishable under Sec. 135(1)(b) of the Electricity Act, 2003 read with Amendment Act 2007 is well established against this accused person.

Learned P.P.-in-charge opens his case and describes the charge against this accused to the effect that “on 06.04.2016, at about 11.30 a.m.. Soumen Mondal, AE & SM, Egra CCC along with other staff members had been to the agricultural premises of the accused person and during the course of inspection it was detected that he was consuming electricity dishonestly by way of direct hooking from the nearest LTOH line , causing loss of revenue to the WBSEDCL and that he thereby committed an offence punishable under Section 135(1)(b) of the Electricity Act, 2003 read with amendment Act 2007.”

Formal Charge is framed against the accused & the same is read over and explained to the accused person in his mother tongue to which he pleaded guilty & stood by his petition of guilt. The accused pleads guilty by saying 'ami doshi'.

Considered.

It appears to me the accused pleads guilty voluntarily without being influenced or pressurized from any corner. His plea of guilt being voluntary, it is accepted. Therefore, the accused namely, **Swapan Jana** is convicted u/Sec. 229 of the Cr.P.C for the offence punishable under Section 135(1)(b) of the Electricity Act, 2003 read with amendment Act 2007. On being convicted I have heard him & also Ld. P.P.-in-charge and Ld. Defence Advocate. The convict side begged for mercy & the Prosecution let the matter of sentence to the discretion of the Court. The prosecution has not reported the actual quantum of its loss of revenue & as such this Court has to exercise its discretion.

Hence, it is

o r d e r e d

that convict, **Swapan Jana** is sentenced to pay a fine of Rs.6000/- for the offence under Section 135(1)(b) of the Electricity Act, 2003 read with amendment Act 2007. i.d., to suffer S.I. for 60 days.

The instant case is disposed of.

Seized article (alamat), if any, be destroyed after expiry of appeal period.

D/C by me,

Judge, Special Court

Judge, Special Court
Tamluk, Purba Medinipur