

IN THE COURT OF ADDL. DISTRICT & SESSIONS JUDGE, 3RD COURT, HOOGHLY JUDGE,
ELECTRICITY ACT, HOOGHLY

Electricity Case No.- 151 / 2014 (106/ 2013)

Reg. No. - 1319/ 2014

CNR -WBHG01-003920-2013

(Arising out of Bhadreswar P.S. Case no. 161 /2013 dated 25.04.2013)

U/s 135 / 138 of the Electricity Act

Order No. 51 dated 23.06.2023

This Court is lying vacant. Addl. Dist. & Sessions Judge, 1st Court, Hooghly is in-Charge.

Today is the date fixed for appearance of the accused persons and consideration of charge.

All the four accused persons namely 1) Shahid Iqbal, 2) Chandreswar Sahani, 3) Atiullah Ansari and 4) Munshi Das on A I bail are present before this Court by filing hazirah.

A petition is filed by Ld. Advocate on behalf of accused persons namely 1) Shahid Iqbal, 2) Chandreswar Sahani and 3) Atiullah Ansari praying for discharge of the accused persons from this case as the matter has already been compounded before the appropriate authority. Copy served to Ld. PP, Hooghly.

A petition is also filed by Ld. Advocate on behalf of accused Munshi Das stating that the accused has already compounded the matter with the CESC Ltd. but unfortunately he has lost the original compound slip and money receipt. As such, he could not be able to take proper steps for discharge from this case. Ld. Advocate prays for issuing direction upon the CESC Ltd to issue duplicate compound slip along with money receipt in favour of accused person.

Another petition is also filed for confirmation of A I bail in respect of all three accused persons namely 1) Shahid Iqbal, 2) Chandreswar Sahani and 3) Atiullah Ansari and extension of A I bail in respect of accused Munshi Das.

Ld. Advocate for the accused persons and Ld. PP-in-Charge, Hooghly both are present.

At first the petition for confirmation of A I bail is taken-up for hearing.

Heard both sides. Perused the case record. Prayer is considered and allowed.

A I bail in respect of accused 1) Shahid Iqbal, 2) Chandreswar Sahani and 3) Atiullah Ansari is hereby confirmed.

Now the petition for discharge of the accused persons from this case is taken up for hearing.

Heard both sides. Perused the materials on record.

On perusal of the case record, it appears that the accused persons namely 1) Shahid Iqbal, 2) Chandreswar Sahani and 3) Atiullah Ansari have filed order of compounding of their offences individually by the competent authority and money receipt showing the payment of the amount (Rs.960/-) each payable for compounding with a prayer of acquitting them from this case.

It appears that the offence in respect of the accused persons has been duly compounded by the appropriate authority in terms of Section 152 of the Electricity Act, 2003. The accused persons have paid the amount payable for compounding of the offence. Thus, the petition for compounding the offence being legal and the same is hereby accepted.

Hence, it is,

ORDERED

that all the three accused persons namely **1) Shahid Iqbal, 2) Chandreswar Sahani and 3) Atiullah Ansari** are acquitted from the charge in terms of Section 300 of the Cr.P.C. read with Section 152(3) of the Electricity Act, 2003. They be released from their respective bail bonds and be set at liberty.

Now the petition filed by Ld. Advocate on behalf of accused Munshi Das is taken-up for hearing.

Heard both sides. Perused the case record.

Prayer is considered and allowed.

Let a copy of this order be given to the CESC Ltd. with a direction to issue duplicate compound slip along with money receipt in favour of accused person namely Munshi Das.

Fix 28/07/2023 for appearance of accused Munshi Das and consideration of Charge. Receipt be filed in the meantime.

Dictated and corrected by me

Sd/-

(Sanjay Kumar Sharma)
Judge, Electricity Act, Hooghly
(In-Charge)
WB00753

Sd/-

(Sanjay Kumar Sharma)
Judge, Electricity Act, Hooghly
(In-Charge)
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