

In the Court of the Judge, Spl Court (Elec. Act)-cum-ASJ 4th Court, Howrah.

Electricity Case no.374 of 2005

Order No.29 dated 16-07-2022.

Out of seven accused persons, one accused person namely Sulok Sharma on court bail is present by filing hazira.

Five accused persons namely Hari Chand Das, Jay Chand Das, Narayan Das, Nirranjan Pradhan, and Biswajit Banik are absent without step. Issue **W.A.** against them at once.

Ld Advocate on behalf of the State is present.

An intimation petition along with a death certificate of one Sunil Sharma is filed by the accused Sulok Sharma. Copy of the same is served upon the Ld. P.P-in-charge and no objection is endorsed on it.

Ld. P.P-in-charge has prayed for necessary order.

Heard. Perused the case record and death certified as filed.

From the death certified, it appears that accused Sunil Sharma has expired on 22-06-2020, and Ld. P.P-in-charge has no objection over the same.

Considering all the case against the accused **Sunil Sharma is filed for ever.**

Another application praying for compounding the offence along with some documents is filed by the accused Sulok Sharma.

The record is taken up for hearing on the point of compounding of offence u/s 135(1) (a) of the Electricity Act, 2003 as per Section 152 of the Electricity Act.

Heard both sides. Perused the entire materials available on record including the money receipt. Considered.

On perusal of the money receipt & the award passed by National Lok Adalat at Howrah District Court held on 14-12-2019, I find that the offence has been compounded and the award money of Rs.4000/- as directed by the National Lok Adalat has already been deposited by accused person to CESC Ltd.

It is seen that according to section 152 of the Electricity Act 2003 the offence of theft of electricity is compoundable in nature

In view of the provisions laid down u/s 152(2) of the Electricity Act, 2003 after acceptance of the sum of money as compounding charges for compounding this offence, this proceeding shall not be continued and the accused person namely **Sulok Sharma** shall be discharged from his bail bond and set at liberty at once.

No order as regards the seized alamats can be passed as this case is still pending against other accused persons.

To 17-11-2022 for E.R of W.A.

Upload the same in the CIS immediately.

Judge, Special Court (Elec. Act), Howrah.
(J.O. Code:WB00774)
16-07-2022