

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

Electricity Case no. 48 of 2021

Order No.07 dated 29.03.2022.

The case record is put up on the strength of a put up petition by accused person. One of the accused persons namely Jai kishan Barey @ Jai Kishan Bade on court bail is present by filing hazira.

An application praying for compounding the offence along with some documents is filed.

Ld. Advocate on behalf of the State is present.

The record is taken up for hearing on the point of compounding of offence u/s 1351(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 11.09.2021, I find that the offence has been settled and the UMC charges of Rs.82000/- and award money of Rs.4000/- as compounding charges as directed by the National Lok Adalat has already been deposited by accused person to the CESC authority. It appears that CESC authority has shown the accused as beneficiary of the consumer Armana Begum vide reference no. LBB/00579/2021 dated 16.09.2021).

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 Jai kishan Barey @ Jai Kishan Bade shall be discharged from his bail bond and set at liberty at once.

No order in respect of seized alamat is passed as this case is still pending against another accused person.

To date (07.11.2022) for appearance of other accused person on court and I.O's report.

Upload the same in the CIS immediately.

Judge, Special Court (Elec. Act), Howrah.
(J.O. Code :WB00774)