

Electricity Case No.302 of 2022
(CIS No.WBHW-01-006280-2022)
(In cw: Shibpur PS Case No.334/22 dated 17-10-2022)

Present :Sri Sandip Karmakar
(J.O. Code:WB00927)
Special Judge (Elect. Act), Howrah.

Order No. 11 dated 02-07-2026

The case record is put up as per prayer of the accused person. One of the accused persons namely **Shamim Ahmed** has surrendered before the court today, and he is taken into custody and remanded to J/C till 18-07-2026.

A bail petition is filed on behalf of the said accused person. Copy served.

Ld. Advocate for the State is present.

The record is taken up for hearing on the application for bail.

The Ld. Advocate for the accused person submits that the accused is a misuser of liberty of bail and thus W/A. was issued against him. He has voluntarily surrendered before the court today. He prays for bail of accused person on any condition.

Ld. PP in charge on behalf of the State has stated that the accused is misuser of liberty of bail. He has prayed for necessary order.

Heard both sides.

Perused the materials on record. It appears that accused person was on bail and due to non-appearance on the last date, W.A was issued against him. He is a misuser of liberty of bail. He has voluntarily surrendered before the court today.

Considering all, the prayer for enlarging the accused on bail, is considered and allowed. The above stated accused person may be released from custody on furnishing bail bond of Rs.2000/- with a surety of like amount, i.d., to J/C. Surety must be other than previous surety.

Recall W/A, if on bail.

If on bail, to date i.e., 30-11-2026 for appearance of the accused person, and E/R of W/A.

Judge, Spl. Court (Elec. Act), Howrah

Later: Order dated 02-07-2026

Accused furnished bail bond as ordered, which is found fit and accepted.

At this stage, the accused **Shamim Ahmed** files an application praying for discharge from this case on the ground of 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 135/138 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 and the award passed by National Lok Adalat at Howrah District Court held on 09-12-2023, I find that the offence has been compounded and the award money of Rs 1000/-, as directed by the National Lok Adalat, has already been deposited by the 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 above stated accused person namely **Shamim Ahmed** is discharged from his bail bond and set at liberty at once.

No order as regards the seized alat can be passed as this case is still pending against another accused person.

Fix 30-11-2026 for E/R of W/A.

Upload the same in the CIS immediately.

Dictd. & corrected by me,

Spl. J

Judge, Special Court (Elec. Act),
Howrah