

GR Case No. 127/2022
Registration No. 176/2023
CNR No. WBPU060002802023
JO Code-WB01313

Order dated: 10.03.2026 :-

The case record is put up today.

The sole accused person namely **Sudhir Mudi** is present by filing hazira.

The Ld. APP is present.

One guilty plead petition filed by Ld. Lawyer on behalf of the accused person namely **Sudhir Mudi** praying for passing an order for dispose of the case against him as he wants to plead his guilty today on the ground stated therein.

Heard, pleading guilty by the accused person by saying "Ami Dosh Korechi" is accepted.

According to Section 46 A (c) of Bengal Excise Act, the minimum punishment prescribed by the legislature for committing the offence is at least imprisonment for one month with fine.

Hon'ble Supreme Court of India in the matter of **Harendranath Chakrabarty V State of West Bengal reported in (2009) to SCC 758** has been pleased to observe that " Ordinarily, the legislative sentencing policy as laid in some special Acts where the Parliamentary intent has been expressed in unequivocal terms should be applied. Sentence of less than the minimum period prescribed by the Parliament may be imposed only in exceptional cases".

In the case in hand, this court finds that the imposition of the sentence of imprisonment upon the accused person for possessing 12.0 ltr. of I.D. Liquor of meagre amount, except sentencing him to pay fine only, would not be justified for such minor offence, which makes the case exceptional within the meaning of the above mentioned direction of the Hon'ble Supreme Court.

Hence, the accused person is convicted for committing offence punishable u/s 46 A(c) of B.E. Act and sentenced to pay fine of **Rs.600/-** I.D to SI for 15 days. If fine not paid issue warrant of imprisonment. Note it in relevant register.

The case is thus disposed off.

Let a copy of this order be given to the convict free of cost.

D/C)

Sd/-

A.C.J.M, 2nd Court, Raghunathpur

Later :-

The convict has paid the entire fine amount of Rs. **600/-** . Release him at once.

Sd/-

A.C.J.M, 2nd Court, Raghunathpur