



2026:CGHC:13416



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 403 of 2026

Kanhaiya Mastake S/o Shri Bhagela Mastake Aged About 60 Years R/o Village Banranka, Post Office Tipni P.S. Thankhamariya, District Bemetara Chhattisgarh

... Applicant

versus

1 - State Of Chhattisgarh Through Police Thana Thankhamariya, District Bemetara Chhattisgarh (Respondent/ State)

2 - Mannuram Kashyap S/o Bhurva Kashyap Aged About 60 Years Village Banranka, Police Station - Thankhamariya, District - Bemetara Chhattisgarh (Complainant Not Been Impleaded As A Party Before The Sessions Court)

... Respondents

(Cause-title is taken from CIS)

For Applicant	:	Mr. Kabeer Kalwani, Advocate
For Respondent No.1/State	:	Mr. Akhilesh Kumar, G.A.

Hon'ble Shri Justice Sanjay Kumar Jaiswal
Order on Board

20/03/2026

1. The present revision under Sections 438 R/w Section 442 of BNSS has been preferred by the applicant being aggrieved by the impugned order dated 12.12.2025 passed by the Learned Special Judge, Electricity Act 2003, Bemetara District Bemetara (C.G.) whereby the charges under Section 105 Part-II of BNS, 2023 and Section 135(1)(a) of the Electricity Act, 2003 have been framed against the applicant.
2. The applicant allegedly committed an offense under Section 105 Part-II of BNS and Section 135(1)(a) of Electricity Act by making an illegal



electrical connection, leading to a person's death, and committing electricity theft.

3. The applicant's counsel submits that the post-mortem report indicates the death was accidental. There is no allegation that the applicant had knowledge that the PVC cable would snap and there is no material to suggest that the fencing would become energized, therefore, no offence under Section 105 Part-II of BNS can be made out against the applicant. The offense at most would fall under Section 304-A of IPC. He further submits that the offence under Section 135(1)(a) of the Electricity Act also prima facie not made out against the applicant. Hence, it is prayed that the impugned order dated 12.12.2025 passed by learned Special Judge, Bemetara may be set aside.
4. Per contra, learned Counsel appearing for the State opposes the revision.
5. I have heard learned Counsel appearing for the parties and perused the documents annexed with the revision including the impugned order.
6. Upon examination of the charge-sheet and the evidence compiled therein, it prima facie reveals that the accused/applicant had knowledge that the electricity connection obtained by him through illegal hooking from a transformer posed a likelihood of causing death to any person coming into contact with it. Therefore, I find no perversity, illegality, or inconsistency in the order of learned Special Judge, Electricity Act 2003, Bemetara District Bemetara (C.G.) passed on 12.12.2025.
7. Accordingly, the revision is hereby **dismissed** at motion stage itself.

Sd/-

(Sanjay Kumar Jaiswal)
Judge