

05.08.2021

Court No.28
Item No.316

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CRM 1689 of 2021
(Via Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Paikar P. S. Case No.30 of 2020 dated 01.02.2020 under Section 135(1)(a) and 135(1)(b) of the Electricity Act.

And

In the matter of : **Md. Ayes Koroni.**

...Petitioner

Mr. S. S. Ray.

...For the Petitioner.

Ms. Kum Kum Mitra.

...For the State.

Mr. Aniket Mitra.

...For the WBSEDCL.

Apprehending arrest in connection with Paikar P. S. Case No.30 of 2020 dated 01.02.2020 under Section 135(1)(a) and 135(1)(b) of the Electricity Act, the petitioner has filed the instant application for anticipatory bail.

After perusing the averments made in the instant application to the effect that the case pertains to the alleged illegal extraction of the electricity causing economic loss to the distribution Company.

We feel that it is a fit case where the parties must explore the possibility of the settlement through mediation. Furthermore, the final assessment order has also been passed and the petitioner has already deposited 50% of the amount shown in the provisional assessment order.

We thus direct the parties to appear before the jurisdiction of the Mediation Board and the Member Secretary of the Mediation Board is directed to appoint a suitable mediator who shall submit the report within two months from date.

Since we have sent the matter for mediation, the petitioner is entitled to an interim protection from arrest and accordingly, the State shall not arrest the petitioner in the meantime.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)

