

14.09.2021
tkm/ct 29
sl no. 1

C.R.R. No. 1775 of 2006
(Via video conference)

In Re : Niranjan Biswas & Anr.

.....petitioners

Mr. Rana Mukherjee
Mr. Pravas Bhattacharya

..... for the State

The matter is listed today for hearing as “Contested Application”.

Mr. Rana Mukherjee Ld A.P.P and Mr. Pravas Bhattacharya, learned advocate appear for the State. Concerned authority is requested to regularize their appointment in the matter.

On call, none appears for the petitioners as well as OP no. 2.

Brief fact of the case is that Murutia P.S case no. 32 of 2006 dated 1.4.2006 was registered against the present petitioners under section 135(1)(b)(c) of the Indian Electricity Act leading to charge sheet no. 33 of 2006 dated 30.4.2006 submitted in the court of learned Special Judge (Indian Electricity Act), Krishnagar, Nadia.

The criminal revision has been filed praying for quashing of the order regarding taking of cognizance and also for quashing of the proceeding pending before the learned Special Judge (Indian Electricity Act), Krishnagar, Nadia. Cognizance was taken on 6.5.2006.

Learned prosecutor submitted that this is an old pending case. Interim stay was granted in this case for a period of 12 weeks

from date i.e since 20.6.2006. I find no extension of stay has been prayed for in the meantime.

I have considered the impugned order as well as material in the charge sheet. The case of theft of electricity was alleged to have been detected against the present petitioner.

Under such circumstances, the present petitioner is required to undergo trial in accordance with law. I do not find any illegality, impropriety or irregularity in the impugned order taking cognizance of the offence. The prayer for quashing of the proceeding pending before the learned Special Judge (Indian Electricity Act), Krishnagar, Nadia and setting aside of the impugned order is dismissed.

Hence, criminal revision under section 482 CR.P.C stands disposed of.

Let copy of this order be sent to the court of learned Special Judge (Indian Electricity Act), Krishnagar, Nadia for information with direction to commence trial of the case as expeditiously as possible.

Urgent photostat certified copy of this order be given to the parties upon compliance of requisite formalities.

(Ananda Kumar Mukherjee, J.)