

D/L107
05.07.2023
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C.R.R.418 of 2023

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure;

Mansur Ali Khan
Versus
The State of West Bengal and another

Mr. Raja Biswas
Mr. Abhijit Sarkar.
...for the petitioner.

Mr. Tanmay Kumar Ghosh
Ms. Sujata Das.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Ms. Sujata Das, learned advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authorities.

The subject matter of the revisional application is a challenge to the FIR being registered with Usthi Police Station Case No.538 of 2022 dated 06.12.2022 under Sections 135(i)(b) of the Electricity Act.

Learned advocate appearing for the petitioner submits that the Electricity Authorities raised the exorbitant bills which has no foundation in law and there were instances in course of Amphan which were the basis of such excess bill being raised by the Electricity Authorities.

I find that the petitioner approached this Court at a stage when the investigation of the case was in progress. There has been

a final assessment bill, which has been raised by the Electricity Authorities. Till date the petitioner has not cooperated with the Electricity Authorities for compounding of the offences. So far as the factual circumstances are concerned, the truth or falsity of the same cannot be considered by this Court at this stage until and unless a report in the form of Section 173 is filed before the jurisdictional court. Petitioner would be at liberty to take up the issues relating to facts with the investigation agency as till date charge-sheet has not been submitted.

With the aforesaid observations, CRR 418 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)