

23.02.2026
Court No.22
DL/Item No.-30
[Milan]

CRR 4408 of 2022

In the matter of:

**SOURABH MAITY
VS
STATE OF WEST BENGAL &ANR.**

The Court:

1. This is an application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973, preferred by the petitioner, Sourabh Maity, praying for quashing of the proceedings in S.C. (E) No. 25(3)14 (arising out of Egra P.S. Case No. 61 of 2014) currently pending before the Learned Judge, Special Court, Purba Medinipur at Tamruk. The petitioner further assails Order No. 16 dated August 3, 2022, whereby the Learned Court below was pleased to issue a Warrant of Arrest against him.
2. The trajectory of this litigation reveals a stark lack of diligence. Record reflects that although the revisional application was filed on December 1, 2022, it was moved for the first time only on November 7, 2024. While the petitioner was represented until February 28, 2025, there has been no appearance on behalf of the petitioner thereafter. Furthermore, the directions contained in the order dated November 7, 2024, remain uncomplied with to date. Such persistent non-appearance and failure to comply with judicial

directions lead to the inescapable conclusion that the petitioner is no longer interested in prosecuting this matter.

3. Adverting to the factual matrix of the case, it appears that on February 26, 2014, one Souummyajit Bhowmik, Assistant Engineer & Station Manager, Egra Customer Care Centre, lodged an FIR with the Officer-in-Charge, Egra Police Station. It was alleged therein that the petitioner, Sourabh Maity, along with another, was detected committing theft of electricity through unauthorized use at his agricultural premises. Offending materials were reportedly seized in the presence of witnesses, leading to the initiation of the prosecution under Section 135 of the Electricity Act, 2003.
4. Upon completion of investigation, a Charge Sheet was submitted against the petitioner on March 22, 2014. The Learned Court below took cognizance and fixed the matter for framing of charges as far back as April 24, 2016. However, the record suggests that the trial has remained stalled for nearly a decade, primarily due to the contumacious non-appearance of the petitioner before the Trial Court. It was in this context of prolonged and unexplained absence that the Learned Special Judge was compelled to issue a Warrant of Arrest via the impugned Order No. 16 dated August 3, 2022.
5. Having considered the materials available on record and the conduct of the petitioner, this Court finds no merit in the petition. The inherent powers of this Court under Section 482 of the Code cannot be invoked to provide sanctuary to a

litigant who deliberately evades the process of law and fails to demonstrate any earnestness in pursuing his legal remedies.

6. Accordingly, CRR 4408 of 2022 stands dismissed both for non-prosecution and on merits.
7. Interim order, if any, stands vacated. The Learned Trial Court is directed to take all necessary steps to ensure the presence of the accused and to proceed with the trial with utmost expedition, in accordance with the law.
8. There shall be no order as to costs.
9. All parties are to act on the server copy of this order.

(Uday Kumar, J.)