23.11.2026
Item no. 24
Ct. No.237
AKG

C.R.R. 4493 of 2026
Md. Sahid @ MD. Shahid & Anr.
Vs.
The State of West Bengal & Anr.

Mr. Indranil Halder,

...for the Petitioners

Mr. Sayak Chakraborty,
Mr. Sunil Gupta

...for the State

Mr. Kaushik Gupta,
Mr. Anirban Tarafdar

...for CESC

The petitioners seek quashing of the proceedings in E. C. Case No. 729 of 2026, arising out of Narkeldanga Police Station F.I.R. Case No. 454 of 2026 dated August 12, 2026, in connection with offences punishable under Sections 135 and 138 of the Electricity Act, 2003, pending before the learned Judge, Special Court under the Electricity Act, Alipore, South 24 Parganas.

The aforesaid case was registered on the basis of a complaint lodged by Calcutta Electricity Supply Corporation Limited (CESC), alleging, inter alia, that, upon inspection of the premises in question, CESC detected unauthorised abstraction of electricity by the petitioners through the process of hooking.

Learned advocate appearing on behalf of the petitioners submits that, on an earlier occasion, an F.I.R. had been lodged by the CESC authorities against the petitioners, in which the petitioners were ultimately acquitted by the learned Special Court. He submits that the present criminal proceedings have been

initiated with an ulterior motive. It is further contended that the seizure list would reveal that only a sealed packet was seized from the premises in question.

Mr. Kaushik Gupta, learned advocate appearing on behalf of the CESC, on the other hand, submits that the petitioners were acquitted by the learned Special Court on technical grounds. He further submits that the electricity connection of the petitioners had, however, remained disconnected on account of unauthorised use of electricity and that the petitioners had also failed to pay the assessed amount.

It is further submitted that, notwithstanding such disconnection, the petitioners continued to enjoy electricity through unauthorised hooking, which gave rise to the present criminal proceedings. In support of his submissions, Mr. Gupta has produced certain photographs before this Court.

Mr. Sayak Chakraborty, learned advocate appearing on behalf of the State, submits that the investigation is still in progress.

In view of the aforesaid submissions and the materials placed before this Court, this Court is of the prima facie view that the allegations contained in the F.I.R. disclose offences punishable under Sections 135 and 138 of the Electricity Act, 2003.

At this stage, there is no scope for this Court to embark upon an assessment of the veracity of the allegations contained in the F.I.R. The investigation must, therefore, be permitted to proceed to its logical conclusion.

Accordingly, **CRR 4493 of 2026** is disposed of without passing an order.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)