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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ (1) **CRL.M.C. 2898/2013**

RAJENDER SINGH LOHIA Petitioner
Through: Mr. T.K. Mukheja and
Mr. Praveen Kumar, Advocates
versus

STATE & ORS Respondents
Through: Mr. Mukesh Gupta, Additional
Public Prosecutor for respondent-
State with SI Babu Lal
Mr. M.D. Sharique Hussain and
Mr. Rishab Raj Jain, Advocates for
respondent No.2 with Mrs. Jaya,
Manager (Legal) BSES-RPL

+ (2) **CRL.M.C. 2899/2013**

RAJENDER SINGH LOHIA Petitioner
Through: Mr. T.K. Mukheja and
Mr. Praveen Kumar, Advocates
versus

STATE & ORS Respondents
Through: Mr. Mukesh Gupta, Additional
Public Prosecutor for respondent-
State with SI Babu Lal
Mr. M.D. Sharique Hussain and
Mr. Rishab Raj Jain, Advocates for
respondent No.2 with Mrs. Jaya,
Manager (Legal) BSES-RPL

+ (3) **CRL.M.C. 2900/2013**

RAJENDER SINGH LOHIA Petitioner
Through: Mr. T.K. Mukheja and
Mr. Praveen Kumar, Advocates

CRL.M.C.2898, 2899, 2900, 2901, 2902 & 2903 of 2013

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the physical file and no page is missing.

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versus

STATE & ORS

.....Respondents

Through: Mr. Mukesh Gupta, Additional
Public Prosecutor for respondent-
State with SI Babu Lal
Mr. M.D. Sharique Hussain and
Mr. Rishab Raj Jain, Advocates for
respondent No.2 with Mrs. Jaya,
Manager (Legal) BSES-RPL

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(4)

CRL.M.C. 2901/2013

RAJINDER SINGH LOHIA

..... Petitioner

Through: Mr. T.K. Mukheja and
Mr. Praveen Kumar, Advocates

versus

STATE & ORS

.....Respondents

Through: Mr. Mukesh Gupta, Additional
Public Prosecutor for respondent-
State with SI Babu Lal
Mr. M.D. Sharique Hussain and
Mr. Rishab Raj Jain, Advocates for
respondent No.2 with Mrs. Jaya,
Manager (Legal) BSES-RPL

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(5)

CRL.M.C. 2902/2013

RAJENDER SINGH LOHIA

..... Petitioner

Through: Mr. T.K. Mukheja and
Mr. Praveen Kumar, Advocates

versus

STATE & ORS

.....Respondents

Through: Mr. Mukesh Gupta, Additional
Public Prosecutor for respondent-
State with SI Babu Lal

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Mr. M.D. Sharique Hussain and
Mr. Rishab Raj Jain, Advocates for
respondent No.2 with Mrs. Jaya,
Manager (Legal) BSES-RPL

+ (6) **CRL.M.C. 2903/2013**

RAJENDER SINGH LOHIA Petitioner

Through: Mr. T.K. Mukheja and
Mr. Praveen Kumar, Advocates

versus

STATE & ORS Respondents

Through: Mr. Mukesh Gupta, Additional
Public Prosecutor for respondent-
State with SI Babu Lal
Mr. M.D. Sharique Hussain and
Mr. Rishab Raj Jain, Advocates for
respondent No.2 with Mrs. Jaya,
Manager (Legal) BSES-RPL

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% 31.07.2013

CRL.M.C.2898/2013 & CrI.M.A. 11000/2013 (Stay) &
CRL.M.C.2899/2013 & CrI.M.A. 11006/2013 (Stay) &
CRL.M.C.2900/2013 & CrI.M.A. 11010/2013 (Stay) &
CRL.M.C.2901/2013 &
CRL.M.C. 2902/2013 & CrI.M.A. 11013/2013 (Stay) &
CRL.M.C. 2903/2013 & CrI.M.A. 11016/2013 (Stay)

Quashing of FIRs No.420; 419; 422; 428; 418 & 424 of 2012 under
Section 135 of the *Electricity Act* registered at P.S.Vasant Kunj, Delhi in
above-captioned six petitions is sought on identical ground i.e. of

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receiving 'No Dues Certificate' of 27th December, 2012 from respondent-complainant and so these petitions were heard together and are being disposed of by this common order.

Notice.

Mr. Mukesh Gupta, Additional Public Prosecutor, accepts notice on behalf of Respondent-State.

Mr. M.D. Sharique Hussain, Advocate, accepts notice on behalf of respondent No.2/first-informant of the FIRs in question and submits, on instructions from Mrs. Jaya, Manager (Legal) BSES-RPL, that nothing is due towards petitioners in respect of subject matter of FIRs in question and 'No Dues Certificates' have been already issued to petitioners and so, the proceedings arising out of these FIRs be brought to an end.

In '*Gian Singh Vs. State of Punjab*' (2012) 10 SCC 303 Apex Court has recognized the need of amicable resolution of disputes in cases like the instant one, by observing as under:-

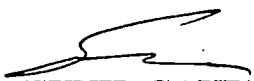
"However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal

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proceedings, justice shall be casualty and ends of justice shall be defeated."

Since the dispute, which is the subject matter of FIRs in question is essentially of commercial nature, which stands mutually and amicably settled between the parties, therefore, this Court finds that continuance of the proceedings arising out of these FIRs in question would be an exercise in futility. Consequently, these six petitions are allowed and FIRs No.420; 419; 422; 428; 418 & 424 of 2012 under Section 135 of the *Electricity Act* registered at P.S.Vasant Kunj, Delhi and proceedings emanating therefrom are quashed *qua* petitioner.

These six petitions and the applications are accordingly disposed of.


(SUNIL GAUR)
Judge

JULY 31, 2013

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