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

*Judgment delivered on: 24<sup>th</sup> November, 2015*

+ CRL.M.C. 4740/2015

SUMITRA & ANR

..... Petitioners

Represented by: Mr. Vikas Yadav and  
Ms.Upma Yadav, Advs.

versus

BSES RAJDHANI POWER LTD & ANR

..... Respondents

Represented by: Mrs. Jaspreet Aulakh, Ms.  
Aditi Tomar, Mr. Deepak Jain, Advs. with Mrs.  
Jaya Verma, Manager (Legal) for R1.  
Mr. Mukesh Kumar, APP for State with SI  
Vikash, PS-Baba Haridas Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE SURESH KAIT**

**SURESH KAIT, J. (Oral)**

**Crl. M.A.17065/2015 (for exemption)**

Exemptions allowed, subject to all just exceptions.

Accordingly, the application is allowed.

+ **CRL.M.C. 4740/2015**

1. By way of the present Petition filed under Section 482 Cr.P.C. petitioners seek directions thereby quashing of FIR No. 439/2014 registered at PS-Baba Haridas Nagar for the offence punishable under Section 135 of Indian Electricity Act against them.

2. Learned counsel appearing on behalf of the petitioners submits that the aforesaid case was registered on the complaint of respondent No.1, i.e., BSES Rajdhani Power Ltd. on account of theft of electricity committed by the petitioners. Thereafter, respondent no. 1 and the petitioners approached the Mediation Centre, Dwarka Courts, New Delhi

and settled their disputes vide settlement dated 17.07.2015. As per the settlement, petitioners have paid the entire amount raised by respondent no. 1. Thus, respondent no. 1 does not want to pursue the case further against the petitioners.

3. Mrs. Jaya Verma, Authorised Signatory of respondent no. 1 is personally present in the Court with her Counsel. Ld. Counsel on instructions submits that respondent no. 1 has received the total amount raised by them from the petitioners. Thus, respondent no.1 has no complaint whatsoever against the petitioners and if the present petition is allowed, they have no objection.

4. Learned Additional Public Prosecutor appearing on behalf of the State submits that after investigation, police has filed the chargesheet, however, the charges are yet to be framed. Since, the matter has been settled between the parties and respondent no. 1 has come forward to quash the FIR mentioned above, the State has no objection, if the present petition is allowed.

5. Keeping in view the settlement arrived at between the parties, statement of respondent no.1 and ld. APP for the State, FIR No. 439/2014 registered at PS-Baba Haridas Nagar for the offence punishable under Section 135 of Indian Electricity Act and all proceedings emanating therefrom are hereby quashed against the petitioners.

6. Accordingly, the petition is allowed.

**SURESH KAIT  
(JUDGE)**

**NOVEMBER 24, 2015**

*jg*