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

Judgment delivered on: 11th December, 2015

+ CRL.M.C. 5025/2015

VINOD KUMAR SEHRAWAT Petitioner

Represented by: Mr. Satyendera Kajla, Adv.

versus

STATE, NCT OF DELHI & ANR Respondents

Represented by: Mr. Mukesh Kumar, APP for
State with SI Raj Kumar, PS-Baba Haridas
Nagar.

Mrs. Jaspreet Aulakh, Mr. Deepak Jain and
Ms. Aditi Tomar, Advs. with Mrs. Jaya Verma,
AR of R2.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

1. By way of the present Petition filed under Section 482 Cr.P.C. petitioner seeks directions thereby quashing of FIR No. 107/2012 registered at PS-Baba Haridas Nagar for the offence punishable under Section 135 of Indian Electricity Act and consequential proceedings emanating therefrom against him.

2. Learned counsel appearing on behalf of the petitioner submits that the aforesaid case was registered against the petitioner on the complaint of respondent No.2, i.e., BSES Rajdhani Power Ltd. on account of direct theft of electricity committed by him and using the electricity illegally by drawing the same dishonestly for domestic purpose. Thereafter, the matter has been settled between the parties and the petitioner paid the total dues raised by respondent no.2. Thus, respondent no.2 does not want to pursue the case further against him.

3. Ld. Counsel appearing on behalf of the respondent no.2 on instructions from Ms. Jaya Verma, AR of the respondent no.2 / company does not dispute the submissions made by counsel for the petitioner and submits that the matter has been settled between the parties and the petitioner has paid the total amount raised by respondent no.2 and nothing due against him. She further submits that a 'No Due Certificate' to this effect has been issued to the petitioner. Thus, respondent no. 2 has no complaint whatsoever against the petitioner and if the present petition is allowed, the said respondent has no objection.

4. Learned Additional Public Prosecutor appearing on behalf of the State submits that after investigation, police has filed the chargesheet, charges framed and the case is pending for prosecution evidence. Since, the matter has been settled between the parties and the petitioner has paid all the dues raised by the respondent no. 2 and a 'No Dues Certificate' to this effect has been issued to the petitioner, 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.2 and Id. APP for the State, FIR No. 107/2012 registered at PS-Baba Haridas Nagar for the offence punishable under Section 135 of Indian Electricity Act and consequential proceedings emanating therefrom are hereby quashed against the petitioner.

6. Accordingly, the petition is allowed.

**SURESH KAIT
(JUDGE)**

DECEMBER 11, 2015/jg