

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

(297)

CRM-M-9254-2016

Date of Decision:-30.09.2016

Inder Kumar Chopra

.....Petitioner

V/S

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. Kunal Dawar, Advocate,
for the petitioner(s).

Mr. Chetan Shrama, Assistant A.G. Haryana.

Mr. Pawan Girdhar, Advocate,
for respondent No.2.

A.B. Chaudhari, J. (Oral)

Heard learned counsel for the rival parties.

In FIR No.918 dated 18.11.2015 registered under Sections 135, 138 and 150 of Electricity Act, 2003 at Police Station I&P Sushant Lok-1, Gurgaon, Haryana and challan dated 14.01.2016 under Sections 135, 138 and 150 of Electricity Act, in view of provision of Section 152 of the Electricity Act, 2003, the petitioner is being prosecuted.

Mr. Pawan Girdhar-learned counsel for respondent No.2-Dakshin Haryana Bijli Vitran Nigam (DHBVN) has appeared before this Court, he submits that the entire payment has been made by the petitioner including compounding charges and, therefore, respondent No.2-Dakshin Haryana Bijli Vitran Nigam (DHBVN) does not have any objection, if the FIR is quashed by way of compounding/compromise.

Looking to the nature of the offence and further fact that the entire payment has been made by the petitioner to respondent No.2-Dakshin Haryana Bijli Vitran Nigam (DHBVN) including compounding charges towards electricity theft, I do not find any reason to continue the prosecution against the petitioner. In that view of the matter, I make the following order:-

ORDER

1. FIR No.918 dated 18.11.2015 registered under Sections 135, 138 and 150 of Electricity Act, 2003 at Police Station I&P Sushant Lok-1, Gurgaon, Haryana and challan dated 14.01.2016 under Sections 135, 138 and 150 of Electricity Act, in view of provision of Section 152 of the Electricity Act, 2003 is quashed by way of compounding/compromise along with all consequential proceedings arising therefrom

Disposed of.

September 30, 2016

pankaj

**(A.B. Chaudhari)
Judge****Whether speaking/reasoned****Yes/No****Whether reportable****Yes/No**