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

+ W.P.(CRL) 246/2016

AJAY KUMAR HANS & ANR

..... Petitioners

Through Mr. Rakesh Kumar Dudeja, Advocate
along with petitioners

versus

THE STATE (GOVT OF NCT OF
DELHI) & ANR

..... Respondents

Through Ms. Richa Kapoor, Addl. Standing
Counsel (Crl.)
SI Vinod Kumar, P.S. Mehrauli
Ms. Vernika Singh and Mr. Deepak
Jain, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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01.02.2016

The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No. 2349/2015 under Section 135 of the Electricity Act, 2003 registered at Police Station- Mehrauli, Delhi, and the proceedings arising therefrom.

The subject FIR came to be registered on an allegation made at the instance of the BSES Rajdhani Power Ltd. to the effect that the petitioners were indulging in theft of electricity.

Notice.

Ms Richa Kapoor, Addl. Standing Counsel (Crl.) and Ms. Vernika

Singh, learned counsel, accept notice on behalf of respondent nos.1 and 2 respectively.

Counsel appearing on behalf of the petitioners and respondent No.2-BSES Rajdhani Power Ltd. submit that the parties have arrived at an amicable out-of-court settlement of all their outstanding disputes and the petitioners have paid the entire electricity bill in the sum of Rs. 3,90,000/- to BSES Rajdhani Power Ltd. towards the full and final settlement of all the outstanding disputes against them to the latter's satisfaction.

Ms. Vernika Singh, learned counsel appearing on behalf of respondent No.2/BSES Rajdhani Power Limited states that since the subject electricity bill has been paid in full by the petitioners herein, the respondent no. 2 does not have any objection if the present writ petition is allowed and the subject FIR is quashed and set aside.

In view of the foregoing and since the dispute that led to the registration of the subject FIR has been settled amicably between the consumer and the transmission company without any undue influence, pressure or coercion, no useful purpose will be served by proceeding with the subject FIR and the proceedings arising therefrom.

Resultantly, the FIR No. 2349/2015, under Section 135 of the Electricity Act, 2003, registered at Police Station- Mehrauli and the proceedings arising therefrom are hereby set aside and quashed qua the petitioners subject to their depositing a sum of Rs.10,000/- in aggregate with the Victims Compensation Scheme, Government of NCT of Delhi within a period of one week from today. The copy of the receipt of the said deposit shall be furnished to the concerned Investigating Officer in the subject FIR namely SI Vinod Kumar, Police Station- Mehrauli, Delhi.

The writ petition is allowed and disposed of accordingly.

SIDDHARTH MRIDUL, J

FEBRUARY 01, 2016

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