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

Judgment delivered on: 12th February, 2016

+ **CRL.M.C. 589/2016**

ASMA

..... Petitioner

Represented by: Mr.Parveen Yadav, Adv with
petitioner.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr.Arun Kumar Sharma,
APP for the State with SI
Yogesh, PS Timarpur,
Delhi/R1.
Mr.Ankit Agrawal, Adv for
R2.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

CrI.M.A. No.2485-86/2016 (for exemption)

Exemptions allowed, subject to all just exceptions.

Accordingly, the applications are allowed.

CRL.M.C. 589/2016

1. By way of the present petition filed under Section 482 Cr.P.C. petitioner seeks directions thereby quashing of FIR No.531/2014 registered at PS Timarpur for the offence punishable under Section 135 of the Indian Electricity Act and consequential proceedings emanating therefrom against her.

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., Tata Power Delhi Distribution Company on account of direct theft of electricity committed by her 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 her.

3. Learned counsel appearing on behalf of the respondent No.2 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 her. He 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, however, charges are yet to be framed by learned Trial Court. 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 Nos.1 and 2, FIR No.531/2014 registered at PS-Timarpur for the offence punishable under Section 135 of the Indian

Electricity Act and consequential proceedings emanating therefrom are hereby quashed.

6. Accordingly, the petition is allowed with no order as to cost.

**SURESH KAIT
(JUDGE)**

FEBRUARY 12, 2016

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