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

Judgment delivered on: 12th February, 2016

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CRL.M.C. 586/2016

HAZIRA

..... Petitioner

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

Versus

THE STATE (GNCT OF DELHI) & ANR Respondents

Represented by: Mr.Panna Lal Sharma, APP
for the State with SI Manoj,
PS Ranjeet Nagar, Delhi/R1.
Mr.Ankit Agrawal, Adv for
R2/Tata Power Ltd.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

Crl.M.A. No.2469-70/2016 (for exemption)

Exemptions allowed, subject to all just exceptions.

Accordingly, the applications are allowed.

CRL.M.C. 586/2016

1. By way of the present petition filed under Section 482 Cr.P.C. petitioner seeks directions thereby quashing of FIR No.170/2013 registered at PS Ranjeet Nagar for the offence punishable under Section 135 of the Indian Electricity Act & 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. Ld. 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. 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 & 2, FIR No.170/2013 registered at PS-

Ranjeet Nagar 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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