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

Judgment delivered on: 2nd March, 2016

+ CRL.M.C. 634/2016

YAMEEN & ORS

..... Petitioners

Represented by: Mr. S. Qamar, Adv.

versus

THE STATE (GNCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Panna Lal Sharma,
APP for State.

Mr. Deepak Pathak, Adv. for R2.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT
SURESH KAIT, J. (Oral)

+ **CRL.M.C. 634/2016**

1. By way of the present Petition filed under Section 482 Cr.P.C. petitioners seek directions thereby quashing of FIR No. 310/2015 registered at PS-Jaitpur, Delhi for the offences punishable under Section 379 IPC and Section 135 of the Indian Electricity Act, 2003 and consequential proceedings emanating therefrom against them.

2. Learned counsel appearing on behalf of the petitioners submits that the aforesaid case was registered against the petitioners on the complaint of respondent No.2, i.e., BSES Rajdhani Power Ltd. on account of direct theft of electricity committed by the petitioners from the BSES LV Main with the help of illegal wire for feeding the entire load on the direct theft of the Electricity. Thereafter, the matter has been settled between the parties and the petitioners paid the total dues

raised by respondent no.2. Thus, respondent no.2 does not want to pursue the case further against them.

3. Ld. Counsel appearing on behalf of the respondent no.2 on instructions does not dispute the submissions made by counsel for the petitioners and submits that the matter has been settled between the parties and the petitioners have paid the total amount raised by respondent no.2 and nothing due against them. He further submits that a '*No Dues Certificate*' to this effect have been issued to the petitioners. Thus, respondent no. 2 has no complaint whatsoever against the petitioners 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 petitioners have paid all the dues raised by the respondent no. 2 and a '*No Dues Certificate*' to this effect has been issued to the petitioners, 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 ld. APP for the State, FIR No.310/2015 registered at PS-Jaitpur, Delhi for the offences punishable under Section 379 IPC and Section 135 of the Indian Electricity Act, 2003 and consequential proceedings emanating therefrom are hereby quashed against the petitioners.

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

Crl. M.A. 2624/2016

Dismissed as infructuous.

**SURESH KAIT
(JUDGE)**

MARCH 02, 2016

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