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

+ W.P.(CRL) 1500/2016

NAWAB AHMAD

..... Petitioner

Through: Mr.Falak Mohd. and Mr.Prabhat Kumar,
Advocates.

versus

THE STATE & ANR

..... Respondents

Through: Mr.Sanjay Lao, A.S.C. for the State

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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13.05.2016

1. By way of the present petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C., the petitioner seeks quashing of FIR No.894/2014 under Section 135 of Indian Electricity Act (Amend), 2003 and Section 379 IPC P.S. Jamia Nagar, Delhi and all the proceedings arising therefrom.

2. Brief facts leading to filing of this petition are that the officials of respondent No.2/BSES Rajdhani Power Limited inspected the premises of the petitioner on 01.7.2014 and on the basis of said inspection, petitioner was found to be indulging in the act of electricity theft. Thereafter, an FIR was lodged by respondent No.2 against the petitioner being FIR No.894/2014 P.S. Jamia Nagar, Delhi. The petitioner approached the respondent No.2 and the respondent No.2 after making assessment raised a theft bill dated 12.08.2015 amounting to Rs.5,48,574/-, which the petitioner immediately paid and the petitioner was issued receipt and No Dues

Certificate.

3. Counsel for the petitioner submits that as no dispute has been left and the due amount has been paid, the said FIR and the proceedings emanating therefrom may be quashed.

4. Counsel for the State as well as respondent No.**2/BSES Rajdhani Power Ltd.** states that since the petitioner has paid the assessed dues, no useful purpose would be served by continuance of criminal proceedings against the petitioner.

5. In view of the assessed amount being paid and issuance of No Due Certificate by respondent No.2, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioner, which will only be a futile exercise and wastage of precious time of the Court.

6. Accordingly, the petition is allowed and FIR No.894/2014 under Section 135 of Indian Electricity Act (Amend), 2003 and Section 379 IPC P.S. Jamia Nagar, Delhi and all the proceedings emanating therefrom are hereby quashed, leaving the parties to bear their own costs.

PRATIBHA RANI, J.

MAY 13, 2016

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