

259-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 42487 of 2016
Date of Decision: 27.09.2017

P.N. Kumar

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Rahul Gautam, Advocate,
for the petitioner.

Mr. D.R. Singla, D.A.G., Haryana,
for respondent No. 1.

Mr. Rakesh Kumar, Advocate, for
Mr. Pawan Girdhar, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner seeks quashing of F.I.R. No. 865, dated 07.11.2015, under Sections 135, 138 and 150 of the Indian Electricity (Supply) Act, 2003, registered at Police Station I & P Sushant Lok – I, Gurgaon, Haryana, (Annexure P-1), along with all subsequent proceedings arising therefrom, by invoking the provision of Section 152 (2) of the Electricity Act, 2003.

2. It is the petitioner's case that the total dues along with the

statutory compounding amount has already been deposited with the Respondent Authorities.

3. Ld. Counsel appearing for the State admits that the deposit has actually been made, but also states that the petitioner has qualified the same by making such deposits “under protest”.

4. Ld. Counsel for the petitioner in response states that the petitioner undertakes not to file any legal proceedings qua the amount already deposited by him, which may be treated as unconditional deposits.

5. In view of the aforesaid situation, the present petition is allowed and further proceedings arising out of the present F.I.R., accordingly, stand quashed.

27.09.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No