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

+ **CRL.M.C. 1911/2017**

KULDEEP DAGAR

..... Petitioner

Represented by: Mr. Rashid N. Azam, Advocate
with petitioner in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with SI Manoj Singh, PS
Mehrauli.
Mr. Raghav Chadha, Advocate
for respondent No.2 with Ms.
Jaya Thakuria, Sr. Manager,
Legal, BSES in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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11.05.2017

Crl. M.A. No. 7837/2017 (Exemption)

Allowed, to all just exceptions.

CRL.M.C. 1911/2017

By the present petition the petitioner seeks quashing of FIR No. 90/2016 under Section 135 of the Indian Electricity Act (Amended), 2003 registered at PS Mehrauli, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the petitioner has paid the civil liability amount and that the parties have settled the matter.

Issue notice.

CRL.M.C. 1911/2017

Page 1 of 3

Learned APP for the State and learned counsel for respondent No.2/BSES accept notice.

Ms. Jaya Thakuria, Senior Legal Manager of Respondent No.2/M/s BSES Rajdhani Power Ltd. is present in Court and is identified by the learned Counsel. She states that she is competent and authorised to depose on behalf of respondent No.2. She states that a theft bill for ₹51,819.58 was raised on the petitioner, copy whereof is at page 36 of the paper-book. During the pendency of the trial the petitioner and the respondent No.2 have settled the matter and the petitioner has paid the civil liability amount for a sum of ₹23,500/-. Thus the respondent No.2 does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

The petitioner who is present in Court and is identified by the learned counsel affirms the statement of Ms. Jaya Thakuria, Senior Legal Manager of respondent No.2 and he further undertakes that he will not indulge in any such activity in future.

In view of the fact that the parties have amicably resolved their disputes, no useful purpose will be served in continuance of the proceedings and the same would be an abuse of the process of the Court, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 90/2016 under Section 135 of the Indian Electricity Act (Amended), 2003 registered at PS Mehrauli, Delhi and proceedings pursuant thereto are hereby quashed.

Petitioner and Ms. Jaya Thakuria, Senior Legal Manager of respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 11, 2017
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