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

+ **CRL.M.C. 4494/2017 CRL.M.A. 17962/2017**

RAJESH KUMAR

..... Petitioner

Through Mr. Rashid Hussain, Mr. Sameer
Khan, Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondent

Through Mr. Izhar Ahmad, APP for State with
SI Ram Pal, PS Mehrauli.

Mr. Sunil Fernandes, Mr. Arnav
Vidyarthi, Advs. with Ms. Jaya
Thakuria, AR for R-2.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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14.11.2017

Vide the present petition, the petitioner seeks quashing of FIR no. 2231/15, registered at PS Mehrauli, under Section 135 of the Indian Electricity Act, in relation to Case ID No. RJ300415SE054 qua C.A. No. 400076051.

Mrs. Jaya Thakuria w/o Mr. Tridib Thakuria, Senior Manager (Legal), present on behalf of BSES Rajdhani Power Ltd. / respondent no. 2 submits that a sum of Rs.48,945/- has been received from Umesh Kumar (since deceased), brother of the present petitioner on 15.09.2015 in relation to Case ID No. RJ300415SE054 qua C.A. No. 400076051 and that the **no dues certificate** is annexed on the record as Annexure-E, copy of which is Ex.CW1/A. The said no dues certificate relates to the premises bearing no. 238, Village Chhattarpur, New Dena Bank, New Delhi – 110074. She has

CRL.M.C. 4494/2017

page 1 of 2

produced her original identity card issued by the BSES Rajdhani Power Ltd. i.e. respondent no. 2, photocopy of which is filed on record as Ex.CW1/B. It is submitted on behalf of the respondent no. 2 that she is present as the General Power of Attorney and she has stated that the respondent no. 2 does not oppose the prayer made by the petitioner Sh. Rajesh Kumar s/o Sh. Har Parsad seeking quashing of FIR no. 2231/15, registered at PS Mehrauli, under Section 135 of the Indian Electricity Act, in relation to the demands made by the respondent no. 2 qua the premises bearing no. 238, Village Chhattarpur, New Dena Bank, New Delhi – 110074.

Learned APP for the State does not oppose the prayer in the circumstances of the case.

In view of the said settlement arrived at between the parties and as there are no dues left of the respondent no. 2 against the petitioner in relation to Case ID No. RJ300415SE054 qua C.A. No. 400076051, it would be appropriate in the interest of justice that the prayer made by the petitioner seeking quashing of FIR no. 2231/15, registered at PS Mehrauli, under Section 135 of the Indian Electricity Act, in relation to Case ID No. RJ300415SE054 qua C.A. No. 400076051 and all consequential proceedings emanating therefrom is allowed and thus the said prayer is allowed and the FIR no. 2231/15, registered at PS Mehrauli, under Section 135 of the Indian Electricity Act and all consequential proceedings emanating therefrom in relation thereto are quashed.

ANU MALHOTRA, J

NOVEMBER 14, 2017/mk