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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 242/2018 & CRL.M.A. 935/2018**
RAVINDER KUMAR Petitioner
Through Mr. Manoj Verma, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondent
Through Mr. Kamal Kr. Ghei, APP for State
with ASI Barmeshwar Goswami, PS
Mehrauli.
Mr. Raghav Chadha, Adv. for R2
with Mr. Pradeep Baisoya, AR of R2.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **17.01.2018**

CRL.M.A. 935/2018

CRL.M.A. 935/2018 is an application filed on behalf of the petitioner seeking exemption from filing certified copies of the annexures. The same is allowed, subject to just exceptions.

The application is disposed of.

CRL.M.C. 242/2018

Vide the present petition, the petitioner Ravinder Kumar s/o Sh. Ishwar Singh seeks quashing of the FIR No. 478/2012, registered at PS Mehrauli, under Section 135 of the Electricity Act submitting to the effect that a settlement was arrived at between the parties in terms of the Award dated 30.11.2017 in Case No. EPLA-II/9787/2017 in relation to the Case ID

No. RJ170912SE003. Pursuant to the said settlement a sum of Rs.1,25,000/- was agreed to be paid by the petitioner herein of which a sum of Rs.1,00,000/- had already been deposited during the course of the proceedings in the Permanent Lok Adalat-II and the balance sum of Rs.25,000/- was to be paid thereafter.

It has been submitted on behalf of the respondent no. 2 by the General Power of Attorney holder of the BSES Rajdhani Power Ltd. / the respondent no. 2 Mr. Pradeep Baisoya, Assistant Manager (Enforcement Department) that a total sum of Rs.1,25,000/- pursuant to the said settlement amount has already been received by the BSES Rajdhani Power Ltd. / the respondent no. 2 and no dues certificate of the BSES Rajdhani Power Ltd. / the respondent no. 2 dated 03.01.2018 in relation to the Case ID No. RJ170912SE003, copy of which is already on record as Ex.CW1/C, has been issued. It has thus been stated on behalf of the BSES Rajdhani Power Ltd. / the respondent no. 2 by its Authorized Representative that there is no opposition to the prayer made by the petitioner in CRL.M.C. 242/2018 seeking quashing of the FIR No. 478/2012, registered at PS Mehrauli, under Section 135 of the Electricity Act.

To similar effect is the submission is made on behalf of the State.

In view of the Award dated 30.11.2017 in Case No. EPLA-II/9787/2017 in relation to the Case ID No. RJ170912SE003 exhibited as Ex.CW1/B on the record and the statement made on behalf of the BSES Rajdhani Power Ltd. / the respondent no. 2, there appears no reason to disbelieve that the settlement amount has already been paid by the petitioner to the BSES Rajdhani Power Ltd. / the respondent no. 2.

In view of the observations in the verdict of the Hon'ble Supreme Court in ***Gian Singh vs. State of Punjab & Another***, (2012) 10 SCC 303, to the effect : -

“58..... However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated.”

(emphasis supplied)

as no useful purpose would be served in continuing with the present proceedings taking into account the settlement between the parties thus, the FIR No. 478/2012, registered at PS Mehrauli, under Section 135 of the Electricity Act and all consequential proceedings emanating therefrom against the petitioner Ravinder Kumar s/o Sh. Ishwar Singh are quashed.

The petition is disposed of.

Copy of the order be given *Dasti*, as prayed.

ANU MALHOTRA, J

JANUARY 17, 2018/MK
CRL.M.C. 242/2018

page 3 of 3

RAVINDER KUMAR versus

THE STATE GOVT OF NCT OF DELHI & ANR

Statement of the CW1 : Mr. Pradeep Baisoya, Assistant Manager (Enforcement Department) BSES Rajdhani Power Ltd., situated at Andrewj Ganj, New Delhi.

ON S.A.

I have brought my original identity card bearing no. 41018374. The General Power of Attorney dated 05.07.2017 executed in my favour authorizing myself to make statement in relation to the settlement arrived at between the petitioner and the BSES Rajdhani Power Ltd. / the respondent no. 2 in terms of the Permanent Lok Adalat-II vide its Award dated 30.11.2017 in Case No. EPLA-II/9787/2017 in relation to the Case ID No. RJ170912SE003 for a total sum of Rs.1,25,000/- towards full and final amount settlement in relation to the amount bill of Rs.2,04,315/- has already been received. Photocopy of the said General Power of Attorney is Ex.CW1/A. Certified copy of the Award dated 30.11.2017 of the Permanent Lok Adalat-II is Ex.CW1/B. No dues certificate of the BSES Rajdhani Power Ltd. / the respondent no. 2 in relation to the Case ID No. RJ170912SE003 is Ex.CW1/C. In view of the receipt of the total settled amount in terms of the Award dated 30.11.2017, the BSES Rajdhani Power Ltd. / the respondent no. 2 does not oppose the prayer made by the petitioner in the CRL.M.C. 242/2018 seeking quashing of the FIR No. 478/2012, registered at PS Mehrauli, under Section 135 of the Electricity Act.

Photocopy of my identity card is Ex.CW1/D (original seen and returned).

ANU MALHOTRA, J

**RO & AC
JANUARY 17, 2018/MK**