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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1232/2018 & CRL.M.A. 4487-4488/2018**

MOHD.ASLAM Petitioner

Through: Mr. Swami Nath, Adv.

versus

STATE GOVT OF NCT OF DELH & ANR Respondent

Through: Mr. Izhar Ahmad, APP for State with
ASI Matthi Lal, PS Kalkaji.
Mr. Raghav Chadha, Adv. for R-
2/BSES.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
09.03.2018

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Learned counsel for the respondent no.2 submits that the Memorandum of Appearance would be filed during the course of the day, the same be filed accordingly.

CRL.M.A. 4487/2018(Exemption)

Exemption allowed, subject to just exceptions.

CRL.M.C. 1232/2018

Vide the present petition, the petitioners seek quashing of FIR No.738/2016, PS Kalkaji, registered under Sections 135/138 of Indian Electricity Act, 2003 submitting to the effect that there are no dues left to be paid by the petitioner to the respondent no.2 in view of the settlement arrived at at the Special Lok Adalat on 10.12.2017 in Case ID No. RS161215CB323 qua the bill amounting to Rs. 2,04,303/- against the petitioner, a sum of Rs. 1.16 lacs had been agreed to be paid by the

petitioner to the respondent no.2 and in relation to the said amount, no dues certificate as issued by the respondent no.2, BSES Rajdhani Power Ltd. is on the record as per the no dues certificate dated 06.02.2018. The issuance of the same is not disputed on behalf of the respondent no.2 and there is no opposition on behalf of the respondent no.2, BSES Rajdhani Power Ltd. nor on behalf of the State qua the prayer made by the petitioner seeking quashing of FIR in question.

Taking into account the factum that the offence punishable under Section 135 of the Indian Electricity Act, 2003 is compoundable, the bill amount having been paid, in view of the verdict of this Court in ***“NARESHJHANJHI & ANR VS. STATE OF NCT OF DELHI & ANR”*** in CRL.M.C. 4179/2015, ***“SHIV CHARAN VS. THE STATE & ANR”*** in CRL.M.C. 3176/2015, ***“RAJESH KUMAR VS. THE STATE GOVT OF NCT OF DELHI & ANR”*** in CRL.M.C. 4494/2017, ***SUDESH MAAN & ANR. VS. THE STATE GOVT OF NCT OF DELHI & ANR”*** in CRL.M.C. 5181/2017 and in ***“RAVINDER KUMAR VS. THE STATE GOVT OF NCT OF DELHI & ANR”*** in CRL.M.C. 242/2018, and in view of the verdict of the Apex Court in ***“SURESH GANPATI HALANKAR VS. THE STATE OF MAHARASHTRA & ORS”*** and in view of the verdict of this Court in Crl. M.C. 4421/2017, ***ATIF RAZA Vs. STATE OF NCT OF DELHI & ANR.***, the FIR No.738/2016, PS Kalkaji, registered under Sections 135/138 of Indian Electricity Act, 2003 and all consequential proceedings emanating therefrom against the petitioner are quashed.

ANU MALHOTRA, J

MARCH 09, 2018

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