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

+ **CRL.M.C. 936/2018**

JITENDER SINGH

..... Petitioner

Through: Mr. Sanjay Kumar and Mr. Dinesh
Kumar, Adv. along with petitioner

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Anita Abraham, Addl. PP for the
State with ASI Jeet Singh
Mr. Raghav Chadha, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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07.03.2018

Crl. M.A. 3429/2018 (Exemption)

Allowed, subject to all just exceptions.

Crl. M.A. 3430/2018 (condonation of delay in re-filing the petition)

For the reasons stated in the application, the delay in re-filing the petition is condoned. The application is allowed.

CRL.M.C. 936/2018 & Crl. M.A. 3428/2018

1. The petitioner seeks quashing of FIR No. 324 of 2015 under Sections 135 of the Electricity Act, 2003, Police Station Vasant Kunj (South) New Delhi, based on a settlement.
2. The subject FIR was registered for theft of electricity consequent to an inspection and assessment bill for theft (direct theft) was raised.

3. The petitioner has settled with the respondent no. 2 and paid the settled amount of Rs. 83,000/- and the No Dues Certificate has been issued on 11.09.2017. Learned counsel appearing for respondent no. 2 submits that since respondent no. 2 has received the entire settlement amount, respondent no. 2/BSES-RPL does not wish to press the present complaint against the petitioner any further.

4. In view of the fact that the disputes between the parties have been settled, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. It would also be expedient to quash the subject FIR and the consequent proceedings emanating therefrom.

5. Learned Addl. PP for the State submits that State machinery was used and even the charge sheet has been filed.

6. In view of the above, FIR No. 324 of 2015 under Sections 135 of the Electricity Act, 2003, Police Station Vasant Kunj (South) New Delhi and the consequent proceedings emanating there from are quashed, subject to the petitioner depositing cost of Rs.5,000/- with the “*Prisoners Welfare Fund, Jail No. 13, Mandoli*”, Mangal Pandey Marg, Harsh Vihar, Village Mandoli, Delhi within two weeks. The receipt of deposit of the costs imposed by this Order be furnished to the concerned Investigating Officer within a period of three weeks from today.

7. Order *Dasti* under the signatures of the Court Master.

MARCH 07, 2018/‘rs’

SANJEEV SACHDEVA, J