

\$~72

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 997/2018**
HAR RAJ BAHADUR SINGH

..... Petitioner

Through : Mr Mahkar Singh, Advocate.

versus

THE STATE & ANR

..... Respondents

Through : SI Rakesh Sharma, HC Rajesh, PS
Mehrauli.
Ms Romila Joshi, Advocate for R-2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
% **26.02.2018**

Crl.M.A.3628/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 997/2018

1. By this petition, the petitioner seeks quashing of FIR No.493/2015 under Section 135 of the Indian Electricity Act, 2003, Police Station Mehrauli. Subject FIR was recorded consequent to a complaint of direct tapping of electricity discovered during an inspection.
2. An Assessment Bill for Rs.69,660/- was raised, which has been paid and No Due Certificate dated 10.02.2016 has been issued.

3. Learned counsel appearing for respondent No.2 – B.S.E.S. Rajdhani Power Limited, submits that since the entire amount has been paid, the complainant is no longer interested in prosecuting the complaint and is agreeable that the subject FIR and the consequent proceedings arising there from are quashed.

4. In view of the above and keeping in view of the fact that the Bill raised by the Respondent No. 2 has been paid and respondent No. 2 does not wish to press the complaint, 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; securing the ends of justice being the ultimate guiding factor. It would be expedient to quash the subject FIR and the consequent proceedings emanating there from.

5. Accordingly, FIR No.493/2015 under Section 135 of the Indian Electricity Act, 2003, Police Station Mehrauli and the consequent proceedings emanating there from are hereby quashed. The petitioner shall deposit costs of Rs.10,000/- with the *Jail No.13 Prisoners Welfare Fund*, Mandoli Jail, Mangal Pandey Marg, Harsh Vihar, Village Mandoli, Delhi., within a period of two weeks from today. 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.

6. Order Dasti under signatures of Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 26, 2018

‘Sn’