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

+ **CRL.M.C. 1190/2018**

RIYASAT ALI

..... Petitioner

Through: Mr. Amarendra Kumar, Adv. with
petitioner.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Akshai Malik, Addl. PP for the
State with SI Anurag
Mr. Raghav Chadha, Adv. for R-
2/BSES

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **08.03.2018**

Crl. M.A. 4327/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1190/2018

1. The petitioner seeks quashing of FIR No. 1303 of 2016 under Section 135 of the Indian Electricity Act, 2003, Police Station Mehrauli, New Delhi, based on a settlement.
2. The subject FIR was registered for theft of electricity consequent to an inspection. A direct theft bill of Rs. 1,88,914/- was raised. The matter was referred to Permanent Lok Adalat wherein a final settlement was arrived at Rs. 1.23 lakhs. The petitioner has already deposited the entire amount and a No Dues Certificate dated 18.09.2017 has been issued.
3. Learned counsel appearing for respondent no. 2/BSES 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 since charge sheet has already been filed, some costs should be imposed upon the petitioner.

6. In view of the above, FIR No. 1303 of 2016 under Section 135 of the Indian Electricity Act, 2003, Police Station Mehrauli, New Delhi and the consequent proceedings emanating there from are quashed, subject to the petitioner depositing cost of Rs.10,000/- 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.

SANJEEV SACHDEVA, J

MARCH 08, 2018

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