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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2379/2018 & CRL.M.A. 8483/2018
PRIYA AGGARWAL Petitioner
Through: Mr. VK Pandey, Adv.

versus

THE STATE (NCT OF DELHI)& ANR Respondent
Through: Mr. Sanjeev Sabharwal, APP for
State with ASI Shiv Lal, PS
Ambedkar Nagar.
Mr. Raghav Chadha, Adv. for R-2

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **07.05.2018**

Vide the present petition, the petitioners seek quashing of FIR No.678/2016, PS Ambedkar Nagar, registered under Section 135 of the Indian Electricity Act, 2003 submitting to the effect that a settlement has been arrived at between the parties and a No Dues Certificate dated 02.04.2018 has already been issued by the respondent no.2 pursuant to the settlement arrived at in relation to a direct theft of electricity. It has also been submitted through the list of dates and events on the record, which is not refuted on behalf of the respondent no.2, that the said bill of direct theft of electricity has already been settled before the PLA-I in Case No.ELPA-I/5994/2017 and that the petitioner has deposited the amount of Rs.39,450/- with the BSES and thus the No Dues Certificate has already been issued by the complainant company.

The offence punishable under Section 135 of the Indian Electricity Act, 2003 is compoundable in terms of Section 152(2) of the Indian

Electricity Act, 2003.

In view of the non-opposition on behalf of the respondent no.2 and on behalf of the State and also in view of the No Dues Certificate dated 02.04.2018 on the record in relation to Case ID RS161116CA135 and in view of the verdict of this Court in ***“NARESH JHANJHI & 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”*** dated 22.01.2018 in CRL.A. 156/2018; and in view of the verdict of this Court in ***“ATIF RAZA VS. STATE (NCT OF DELHI) & ANR.”*** in CRL. M.C. 4421/2017 and in ***“MOHD. ASLAM VS. STATE GOVT OF NCT OF DELHI & ANR”*** in CRL.M.C. 1232/2018, in ***“SATISH KUMAR & ORS. VS. THE STATE OF DELHI & ANR”*** in CRL.M.C.326/2018, the FIR No.678/2016, PS Ambedkar Nagar, registered under Section 135 of the Indian Electricity Act, 2003 in relation to State Case No.91/18 pending before learned ASJ, Special Court (Electricity), Saket Courts, New Delhi is quashed and all consequential proceedings emanating therefrom are also quashed.

ANU MALHOTRA, J

MAY 07, 2018/vm