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

+ **CRL.M.C. 2094/2018**

DR EHSANUL HAQUE

..... Petitioner

Through: Mr. Mohd. Yusuf, Mr. Azad Siddiqui
and Mr. Mohsin, Advs.

versus

THE STATE (NCT OF DELHI)& ANR

..... Respondents

Through: Mr. Mukesh Kumar, Addl. PP for the
State with SI Rishi Sharma
Mr. Sunil Fernandes, Standing
Counsel for BSES with Mr. Arnav
Vidyarthi, Ms. Anju Thomas, Adv.
for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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23.04.2018

Crl. M.A. 7429/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2094/2018

1. The petitioner seeks quashing of FIR No. 330 of 2015 under Section 379 of the IPC & Section 135 of the Indian Electricity Act, 2003, Police Station Jamia Nagar, New Delhi, based on a settlement.
2. The subject FIR was registered for theft of electricity consequent to an inspection at the premises of the petitioner. The allegation of pilferage of the electricity has been raised against the

petitioner. A direct theft bill of Rs. 78,600/- was raised. The petitioner has already deposited the entire amount and a No Dues Certificate dated 08.09.2017 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 there from.

5. In view of the above FIR No. 330 of 2015 under Section 379 of the IPC & Section 135 of the Indian Electricity Act, 2003, Police Station Jamia Nagar, New Delhi and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

APRIL 23, 2018

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