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

+ **CRL.M.C. 2259/2018**

JASBIR SINGH DESHWAL Petitioner

Through Mr. Prabhat Kumar, Advocate.

versus

STATE & ANR Respondent

Through Mr. G.M. Farooqui, APP for the
State.

Mr. Sunil Fenandes with Mr. Arnav
Vidyarthi and Ms. Anju Thomas,
Advocates for the respondent No.2.
ASI Shyam Bir Singh, PS Mehrauli.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **01.05.2018**

Crl.M.A.8044/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 2259/2018

1. The petitioner seeks quashing of FIR No.688/2016 under Section 135 Indian Electricity Act, Police Station Mehrauli Distt. South.
2. The subject FIR was registered consequent to an inspection of the premises of the petitioner on 28.08.2014 and direct theft of electricity is alleged to have been found. Theft bill in the sum of Rs.1,24,835 was raised.
3. Learned counsel for the petitioner submit that the matter has been amicably resolved between the parties and the amount has been settled at Rs.99,800/-. The settled amount of Rs.99,800/- has been

paid and No Dues Certificate dated 12.04.2018 has been issued.

4. Learned counsel for the respondent No.2 – BSES Rajdhani Power Ltd. submits that since the entire electricity bill has been received, they do not wish to prosecute the complaint any further and have amicably settled the matter with the petitioners.

5. In view of the fact that 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 FIRs and the consequent proceedings emanating therefrom.

6. In view of the above, the petition is allowed. FIR No.688/2016 under Section 135 India Electricity Act, Police Station Mehrauli Distt. South and the consequent proceedings emanating therefrom are, accordingly quashed, subject to the petitioner depositing costs of Rs.10,000/- with the “*Prisoners Welfare Fund, Jail No. 13, Mandoli*”, 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 four weeks from today.

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

MAY 01, 2018/st

SANJEEV SACHDEVA, J