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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3168/2018

DEEPAK MOHAN @ DEEPAK SHARMA Petitioner
Through Mr. Dipika Rani, Advocate

versus

STATE & ANR.

..... Respondents

Through Mr. Sunil Fernandes with Mr. Arnav
Vidyarthi, Advocates for R-2 with
Mr. Pradeep Baisoya, Asst. Manager,
Legal BSES RPL
ASI Ram Babu, PS Sangam Vihar

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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01.06.2018

Crl.M.A.11109/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3168/2018

1. Petitioner seeks quashing of FIR No.402/2017 under Section 135 Indian Electricity Act, Police Station Sangam Vihar.
2. The subject FIR was registered consequent to a raid carried out at the premises of the petitioner where direct theft of electricity was detected. An assessment bill in the sum of Rs.1,22,849 /- was raised.
3. Learned counsel for the petitioner submits that the matter was referred to Permanent Lok Adalat, wherein, the matter has been amicably resolved between the parties and the respondent has reduced the bill amount to Rs.75,000/-. The total amount of 75,000/- has been paid and No Dues Certificate has been issued on 24.05.2018.
4. Mr. Pradeep Baisoya, authorised representative of the respondent

No.2 is present in Court in person. He submits that the respondent No.2 has settled the disputes with the petitioner and has received the entire settlement amount of the theft bill. He has instructions to state that the respondent No.2 has no objection to the quashing of the subject FIR and the consequent proceedings as the respondent No.2 has received the said amount of Rs.75,000 /-.

5. In view of the fact that the parties have resolved their disputes and respondent No. 2 does not wish to press its 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 and peace is restored; 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.

6. In view of the above, the petition is allowed. FIR No.402/2017 under Section 135 Indian Electricity Act, Police Station Sangam Vihar and the consequent proceedings emanating there from are accordingly quashed, subject to the petitioner depositing costs of Rs.5,000/- with the “*Delhi High Court Advocates Welfare Trust*”, within a period of three 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.

SANJEEV SACHDEVA, J

JUNE 01, 2018/st