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

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Judgment delivered on: 17.07.2018

+ CRL.M.C. 3491/2018

GHULAM MUSTAFA

..... Petitioner

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner :

Mr. Sachin Kumar Sharma with Mr. Shrikant Sharma, Advocates.

For the Respondents:

Mr. Panna Lal Sharma, APP for the State.
Ms. Jaya Thakuria, Sr. Manager, Legal, BSES RPL
on behalf of respondent No.2.
SI Sumit, PS Jamia Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

17.07.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.12677/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 3491/2018

1. Petitioner seeks quashing of FIR No.599/2015 under Section 379 IPC and Section 135 Indian Electricity Act, Police Station Jamia

Nagar.

2. The subject FIR was registered consequent to a raid carried out at the premises of the petitioner where direct theft of electricity is alleged to have been found. A bill for theft (direct theft) in the sum of Rs.1,19,833.46 /- was raised.

3. Learned counsel for the petitioner submit that the parties were referred to mediation and the bill amount was settled at Rs.95,870/-. The said amount has been paid and No Dues Certificate dated 11.09.2017 has been issued.

4. Ms. Jaya Thakuria, authorised representative of the respondent No.2 is present in Court in person. She submits that the respondent No.2 has settled the disputes with the petitioner and has received the entire settlement amount of the theft bill. She 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. 95,870/-.

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.599/2015 under Section 379 IPC and Section 135 Indian Electricity Act, Police Station Jamia Nagar and the consequent proceedings emanating there from are accordingly quashed.

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

JULY 17, 2018
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SANJEEV SACHDEVA, J

