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

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Judgment delivered on: 05.10.2018

+ CRL.M.C. 3312/2018

FAHAD ULLAH & ANR

..... Petitioners

versus

STATE & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Shahbaz Ahmed, Advocate
For petitioner nos. 1 and 2 along with petitioner
nos.1 & 2 in person.
Mr. Jauhar Ali, Advocate for Petitioner no.3.

For the Respondent : Ms. Neelam Sharma, APP for State
Mr. Sunil Fernandes, Standing Counsel for BSES/RPL
with Mr. Amav Vidyarthi, Advocate for R-2 with R-2,
present in person.
Mr. Pradeep Baisoya, Assistant
Manager, (Legal)/BSES/RPL.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

05.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek quashing of FIR No. 996/2014 under Section 379 of the IPC and Section 135 of the Indian Electricity Act, 2003, Police Station Jamia Nagar, New Delhi, based on a settlement.

2. Subject FIR was registered for theft of electricity consequent to a raid that had taken place in the premises of the petitioners where direct theft was found. A direct theft assessment bill of Rs.2,32,291/- was raised. Thereafter petitioners approached the Permanent Lok Adalat and the matter was settled

between the parties. It was agreed that a total amount of Rs. 1,74,000/- would be paid by the petitioners on 08.05.2018. Said amount has been paid and a No Dues Certificate dated 09.05.2018 has been issued.

3. 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 petitioners 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 settlement amount of Rs. 1,74,000/-.

4. 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.

5. In view of the above, the petition is allowed. FIR No. 996/2014 under Section 379 of the IPC and 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.

OCTOBER 05, 2018
‘prem’

SANJEEV SACHDEVA, J