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

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Judgment delivered on: 13.08.2018

+ CRL.M.C. 4078/2018

RAJESH KUMAR

..... Petitioner

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Sandeep Verma, Adv.

For the Respondent: ASI Padeum Kumar, P.S.Malviya Nagar.
Mr.Sunil Fernandes, Standing Counsel with
Ms.Priyansha Sharma and Mr.Arn timer Vidyarthi,
Advs. for respondent No.2.
Mr.Pradeep Maisoya, Asst.Manager, Legal, BSES
RPL.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

13.08.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 29892/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4078/2018

1. The petitioner seeks quashing of FIR No. 374 of 2016 under Section 135 of the Indian Electricity Act, 2003, Police Station Malviya Nagar, New Delhi, based on a settlement.

2. The subject FIR was registered for theft of electricity consequent to a raid that had taken place in the premises of the petitioner where direct theft was found. A direct theft bill of Rs. 2,14,875/- was raised. Thereafter

petitioner approached the respondents and the parties had settled their disputes. It was agreed that a total amount of Rs.62,315.92/- shall be paid by the petitioner. The said amount has been paid and a No Dues Certificate dated 18.05.2016 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 and petitioner has paid the settlement amount, 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 therefrom.

5. In view of the above, FIR No. 374 of 2016 under Section 135 of the Indian Electricity Act, 2003, Police Station Malviya 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

AUGUST 13, 2018

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