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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment delivered on:16.10.2018

+ CRL.M.C. 5318/2018

DEV KAUSHIK & ORS

..... Petitioners

versus

STATE (GNCT OF DELHI) & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Himanshu Kaushik with Mr.
Harish Kaushik, Advocates.

For the Respondent : Mr. Kamal Kumar Ghai, APP for the State.
Mr. Darpan Sachdeva with Ms. Anju Thomas,
Advocates for respondent No.2
with Mr. Pradeep Baisoya, AR of R-2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

16.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek quashing of FIR No.991/2015 under Section 135 Indian Electricity Act, 2003, Police Station Neb Sarai, 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 bill of Rs.2,35,604/- was raised. Thereafter petitioner approached the respondents and the parties had settled their disputes. It was agreed that a total amount of Rs.1,29,600/- shall be paid by

the petitioners. Said amount has been paid and a No Dues Certificate dated 14.10.2016 has been issued.

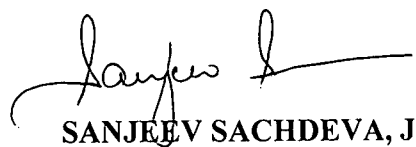
3. Mr. Pradeep Baisoya, authorised representative of the respondent No.2 is present in Court in person. He submits that the respondent No.2 has settled the disputes with the petitioners and has received the entire settlement amount of the theft bill. He has instructions to state that the respondent No.2 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.1,29,600/-.

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.991/2015 under Section 135 Indian Electricity Act, 2003, Police Station Neb Sarai and the consequent proceedings emanating there from are quashed.

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

OCTOBER 16, 2018
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SANJEEV SACHDEVA, J