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

+ **CRL.M.C. 6461/2018 & CRL.M.A. 50052/2018**

KAPIL YADAV

..... Petitioner

Through: Mr. Ram Kumar, Adv. with
petitioner in person

versus

STATE & ANR.

.... Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Anjani Kumar Singh,
PS Vasant Kunj South, Delhi
Mr. Sunil Fernandes, St.
Counsel with Mr. Arnav
Vidyarthi and Ms. Priyansha
Indra Sharma, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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18.12.2018

CRL.M.A. 50052/2018 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 6461/2018

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.152/2016 under Sections 135/138/150 of the Electricity Act, 2003 ('Act'), registered at Police Station Vasant Kunj (South), Delhi and the proceedings emanating therefrom.
2. The petitioner as well as learned counsel for the respondent

No.2 submitted that in view of the award/settlement dated 25.10.2018 arrived at between the parties before the Permanent Lok Adalat-I, BSES Building, Opp. Aiwan-e-Ghalib, Mata Sundri Lane, New Delhi, the petitioner has already made a payment of Rs.17,620/- in full and final settlement against the bill amounting to Rs.7,32,072/- which was revised to Rs.17,620/- in terms of the aforesaid award.

3. Learned counsel for the respondent No.2 submitted that the settlement was arrived at between the parties on their own free will, without any force or coercion. Learned counsel for the respondent No.2 further submitted that since the petitioner made the payment of Rs.17,620/-, in terms of the aforesaid award/settlement and the respondent No.2 has also issued a no dues certificate to the petitioner. The learned counsel for the respondent No.2 also submitted that in view of the payment of full and final settlement amount, the present petition may be allowed and the FIR may be quashed.

4. In view of the aforesaid circumstances and the settlement arrived at between the parties, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.152/2016 under Sections 135/138/150 of the Act, registered at Police Station Vasant Kunj (South), Delhi and the proceedings emanating therefrom are quashed, subject to the condition that the petitioner shall deposit, within ten days, a sum of Rs.4,000/- with the Delhi High Court Advocates' Welfare Fund and a receipt of the said deposit be filed in the Registry within 2 weeks and a copy of the said

receipt shall also be handed over to the APP through the I.O. within 2 weeks. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

5. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 18, 2018/rk