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

+ **CRL.M.C. 6278/2018**

SHAHID @ MOHD. SAEED & ANR. Petitioners

Through: **Mr. A. Aleem & Mr. Gajendra
Kumar, Advocates**

versus

STATE & ANR. Respondents

Through: **Mr. Panna Lal Sharma, APP
with SI Dinesh Kumar,
PS:Jamia Nagar, Delhi
Mr. Deepak Pathak, Advocate
for respondent No.2**

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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13.12.2018

CRL.M.A. 49347/2018 (for exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 6278/2018

1. The petitioners have moved the present petition under Section 482 of the Criminal Procedure Code, 1973 for quashing of FIR No.0503/2017, under Section 135 of the Indian Electricity Act, 2003, registered at PS:Jamia Nagar, Delhi and the proceedings emanating therefrom.

2. Petitioners and respondent No.2 as well as their respective counsel submitted that the parties have arrived at a settlement, in terms whereof the petitioners had to pay Rs.4,03,493/- to respondent No.2, which has already been paid by the petitioners to respondent No.2 in four instalments, details whereof are mentioned in para 6 of the petition. Learned counsel for the petitioners submitted that after payment of the aforesaid amount, nothing remains due from the petitioners to respondent No.2. Learned counsel for respondent No.2 admitted that the petitioner has paid the amount mentioned in the petition and the respondent No.2 has issued a “No Dues Certificate” in this regard. Learned counsel for respondent No.2 further submitted that he is instructed by respondent No.2 to settle the matter and the respondent No.2 has no objection to the petition being allowed and the quashing of the FIR.

3. The Investigating Officer (‘IO’), who is present in Court, has identified the petitioners.

4. In view of the aforesaid circumstances, 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. 0503/2017, under Section 135 of the Indian Electricity Act, 2003, registered at PS:Jamia Nagar, Delhi and the proceedings emanating therefrom therefrom are quashed, subject to the petitioners depositing Rs. 5,000/- within

a week with the Delhi High Court Advocates' Welfare Fund. The petitioner shall also deposit Rs.5,000/- with Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 within one week. The receipt of the deposits shall be filed in the Registry of this Court within ten days and a copy of the said receipt shall also be handed over to the learned APP through the IO within ten days. In case the petitioners fail to deposit the aforesaid amount, the prosecution shall move an application for passing appropriate orders.

5. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 13, 2018

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