

**IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**

Sr. No.116

**CRM-M-26654-2020**

**Date of decision : 8.9.2020**

Ashwani Singal

..... Petitioner

**VERSUS**

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Sunil Mallan, Advocate, for the petitioner.

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**SUDHIR MITTAL, J. (Oral)**

The petitioner seeks quashing of FIR No.158 dated 1.2.2019, registered at Police Station Anti Power Theft, Ludhiana, under Section 135 of the Electricity Act, 2003.

A perusal of the FIR shows that the same was registered on account of alleged theft of power. The seals were broken and wires were welded.

Learned counsel for the petitioner argues that the meter was dead before 10.6.2018 and a complaint in this regard dated 10.6.2018 (Annexure P-3) was submitted, but no action was taken thereupon till 2.1.2019 when an inspection was conducted for replacement of the meter. Thereafter, the petitioner was called to the lab on 17.1.2019 and was made to sign certain blank proformas. The finding regarding the meter being defective was not recorded in his presence. Moreover, the evidence on record indicates that the consumption is similar before and after the change of meter.

The argument is misconceived. It is settled law that an FIR can be quashed only if, no offence is made out from a bare perusal thereof. A bare perusal of the FIR reveals commission of an offence under Section 135

of the Electricity Act, 2003. The arguments raised by learned counsel for the petitioner may be in the nature of defence and may be appreciated by the trial Court, but the same are meaningless so far as the quashing of the FIR is concerned.

The petition has no merit and is dismissed.

(SUDHIR MITTAL)  
JUDGE

8.9.2020  
Ramandeep Singh  
Whether speaking / reasoned  
Whether Reportable

Yes / No  
Yes/ No