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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6235/2019

DANISH & ANR

..... Petitioners

Through: Mr. Alamgir, Advocate

versus

THE STATE & ANR

..... Respondents

Through: Mr. Mukesh Kumar, APP with
ASI Bishamber Singh,
PS:Shaheen Bagh, Delhi
Mr. Srikant Misra, Advocate
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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10.01.2020

CRL.M.A.41897/2019 (for exemption)

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

CRL.M.C.6235/2019

1. Issue notice. Notice is accepted by the learned APP for the State and by learned counsel for respondent No.2.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.83/2019, under Section 135 of the Electricity Act, 2003, registered at P.S.: Shaheen Bagh, Delhi and the proceedings emanating therefrom.
3. Learned counsel for the petitioners and learned counsel for respondent No.2 submitted that the parties have settled their

disputes on their own free will, without any force or coercion, in terms whereof the petitioners have paid a sum of Rs.1,39,011/-. A No-Due Certificate dated 13.5.2019 has already been issued by the respondent No.2.

4. Learned counsel for respondent No.2 submitted that since the matter stands settled, he has no objection to the petition being allowed and the present FIR being quashed.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners and has also verified the settlement.

6. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.20,000/- for some social beneficial cause in any trust or association.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and taking into consideration the age and socio-economic background of the petitioners, I deem it appropriate to give the petitioners a chance to reform and reintegrate into the society as productive members. The petitioners are warned to be careful in future and not to indulge in such activities again. Taking into consideration the aforesaid facts and the remorseful attitude of the petitioners, 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.83/2019, under Section 135 of the Electricity Act, 2003, registered at P.S.: Shaheen Bagh,

Delhi and the proceedings emanating therefrom are quashed, subject to cost of Rs.20,000/-, out of which Rs.5,000/- be deposited in the Delhi High Court Advocates' Welfare Trust, Rs.5,000/- in the Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442, Rs.5,000/- in the Delhi High Court Bar Association Lawyers Social Security & Welfare Fund, and Rs.5,000/- be deposited in the High Court of Delhi Middle Income Group Legal Aid Society, UCO Bank, Account No.15530110135488 and receipts of the deposits be filed in the Registry within 21 days. Copy of the receipts shall also be handed over to the APP through the I.O. within one week thereafter. In case the petitioners fail to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 10, 2020

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