

\$~21

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

+ **CRL.M.C. 3/2020**

ABHIJEET SINGH NAHAL & ORS.

..... Petitioners

Through: Mr. Sandeep Bidhuri, Advocate with
petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. M.S. Oberoi, APP for the State
with SI Bansi Lal and HC Mukesh,
PS K.M. Pur.

Mr. Sunil Fernandes, St. Counsel for
BSES with Mr. Darpan Sachdeva,
Advocate.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

%

04.02.2020

Crl. M.A. No. 12/2020 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 3/2020 and Crl. M.A. No. 11/2020 (for stay)

This is a petition under Section 482 Cr.P.C. seeking quashing of FIR No. 196/2018 under Section 135 of the Electricity Act, 2003 registered at Police Station Kotla Mubarakpur, District South, Delhi.

Issue notice. Learned APP for the State enters appearance on advance notice and accepts notice. Learned standing counsel for respondent no. 2 also enters appearance and accepts notice.

Respondent has filed a detailed affidavit explaining the basis of calculation of the theft bill amount which has come down to Rs.69,221/-. The said amount has been paid by the petitioners and respondent no. 2 has no objection if the FIR is quashed.

In view of the settlement arrived at between the parties and payment received by respondent no. 2, no useful purpose will be served by keeping the present case pending. It will be nothing but abuse of the process of law. Consequentially, this petition is allowed, subject to payment of costs of ₹10,000/- to be deposited by the petitioners with the Delhi High Court Legal Services Committee within one week from today. Upon placing on record the proof of deposit of costs within a week thereafter and handing over its copy to the Investigating Officer, FIR no. 196/2018 under Section 135 Electricity Act, 2003 registered at Police Station Kotla Mubarakpur, District South, Delhi, and the proceedings emanating therefrom shall stand quashed.

The present petition stands disposed of accordingly. *Dasti.*

RAJNISH BHATNAGAR, J

FEBRUARY 04, 2020

AK