

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

CRM-M-42730-2016 (O&M)

Date of decision: 4.8.2022

P.N. Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Rahul Gautam, Advocate, for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

Mr. Puneet Verma, Advocate, for

Mr. Pawan Girdhar, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.866 dated 7.11.2015 registered under Sections 135, 138, 150 of Indian Electricity (Supply) Act, 2003 at Police Station I & P Sushant Lok – I, Gurgaon on the basis that the matter has already been compounded by respondent No.2.

Notice of the petition was issued to both the respondents.

Respondent No.2 put in his appearance through its counsel and filed reply wherein it was admitted that the present case was registered against the petitioner regarding theft of electricity and accordingly, notice of assessment for causing loss worth ₹ 4,74,366/- and compounding amount of ₹ 42,000/- was sent to the petitioner on 7.11.2015. Respondent No.2 further admitted in its reply that the aforesaid amount has been deposited by the petitioner on 10.11.2015 and it was specifically stated in the said reply that respondent No.2 is having no objection if the impugned FIR is quashed against the petitioner in light of compounding of offence in terms of Section

152 of Electricity Act, 2003.

Even today, counsel for respondent No.2 has pleaded no objection if the present petition is allowed as the offence has been compounded.

In view of above, as the matter has been compounded, no purpose is going to be served by keeping alive the impugned FIR and even otherwise, it will amount to abuse of the process of Court if the proceedings based on the impugned FIR are kept pending for any further period.

Consequently, the present petition is allowed and FIR No.866 dated 7.11.2015 registered under Sections 135, 138, 150 of Indian Electricity (Supply) Act, 2003 at Police Station I & P Sushant Lok – I, Gurgaon and all the subsequent proceedings are hereby quashed qua the petitioner.

(KARAMJIT SINGH)
JUDGE

August 4, 2022

Paritosh Kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No