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

+ **CRL.M.C. 1931/2022**

RAKESH KUMAR

..... Petitioner

Through: Ms. Khairun Nisa, Adv. with
petitioner.

versus

THE STATE (GOVT. OFNCT OF DELHI) AND ANR.. Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Anjali Rathi, PS Harsh
Vihar.

Mr. Manish Kumar Mishra and Mr.
Sanjeet Kr. Trivedi, Advs.

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Date of Decision: 10th May, 2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. The present petition has been filed under section 482 Cr.P.C seeking quashing of FIR No. 110/2008 registered under sections 135/438 Indian Elec. Act (Amed) 2003 at PS Harsh Vihar.
2. Briefly stated facts of the case are that the present FIR was lodged on the basis of complaint lodged by Respondent No.2 wherein it is

stated that on 24.08.2007 an inspection took place on the basis of which allegations of electricity theft were made against the petitioner.

3. Chargesheet has not been filed.
4. Learned counsel for the petitioner submits that during the course of proceedings the matter has already been settled between the parties and thus the Present FIR maybe quashed along with all the other proceedings emanating therefrom.
5. As per the settlement the initial theft of electricity bill of Rs.5,16,290/- was reduced to Rs.2,58,145/-. The petitioner paid the said amount after which The BSES has also issued 'No Dues Certificate' and also sent a communication to the SHO, PS Harsh Vihar that the matter has been settled.
6. Learned counsel for BSES submits that the matter has already been settled.
7. It has been repeatedly held by the Hon'ble Supreme Court and this court that when the chances of an ultimate conviction are bleak and, therefore, no useful purpose is likely to be served by allowing a criminal prosecution to continue, the court may exercise power under section 482 CrPC for quashing the proceedings or the complaint or the FIR as the case may be.
8. In view of the above-mentioned facts and circumstances and taking the case FIR No. 110/2008 registered under sections

135/438 Indian Elec. Act (Amed) 2003 at PS Harsh Vihar along with all the other proceedings emanating therefrom is quashed.

9. The present petition stands disposed of.

DINESH KUMAR SHARMA, J

MAY 10, 2023

Pallavi

