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

+ **CRL.M.C. 4258/2023**

SURESH DEVI GOSWAMI

..... Petitioner

Through: Mr.Shivam Kumar, Mr.Sandeep Kumar, Mr.Harshit Shishodia and Mr.Deepak Shan, advocates

versus

THE STATE AND ANR.

..... Respondent

Through: Mr.Digam Singh Dagar, APP for the State.
HC Manoj Bhati and SI Ashutosh Mishra, PS Bhajanpura
Mr.Sanjeet Kr.Trivedi and Mr.Manish Kumar Mishra, Advocates for R-2/BSES

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Date of Decision: 02.06.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

CRL.M.A. 15993/2023 (exemption)

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4258/2023

1. Present petition has been filed under section 482 Cr.P.C. seeking quashing of FIR No. 0295/2019 dated 16.06.2019 registered under

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Section 135 of The Electricity Act, 2003 at PS Bhajanpura, Delhi. The said FIR was lodged on the statement of Sh. Pushkar Anand, Sr. Manager. As per the FIR it was alleged that on inspection it was found that the accused was indulging in direct theft of electricity with the help of an illegal wire from two core black wires coming from BSES Pole no.-B- 408 and directly connecting it to their premises through which the whole load of the premises was running illegally. Further, the said premises had no electricity meter at site.

2. Learned counsel for the respondent No.2 submits that BSES has now settled the matter and the entire civil liability has been cleared. It has been submitted that the matter has duly been settled before the Lok Adalat which is also reflected from the No Dues Certificate issued by the BSES. The copy of the 'No Dues Certificate' issued by the BSES has also been placed on record.
3. The matter has been settled between the parties and the learned counsel for BSES has made a statement at Bar that BSES has no objection to the quashing of the FIR. This Court considers that the dispute in the present case was predominantly of a civil flavour. The dispute has been amicably resolved and the civil liability also stands cleared. Thus, continuance of the present FIR given the amicable resolution will be an exercise in futility.
4. In view of the above, FIR No. 0295/2019 dated 16.06.2019 registered under Section 135 of The Electricity Act, 2003 at PS Bhajanpura and all the proceedings emanating therefrom are quashed.

5. The petition stands disposed of.

DINESH KUMAR SHARMA, J

JUNE 2, 2023

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