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

+ **CRL.M.C. 5943/2024**

PAWAN KUMAR PASWAN & ANR.

.....Petitioners

Through: Mr. Harshit Shishotia, Mr. Vishal Chauhan and Mr. Deepak Shah, Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI & ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Sanjeet Kr. Trivedi, Advocate for R-2.
ASI Devraj Singh, 2575/NE, PS Karawal Nagar.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **02.08.2024**

CRL.M.A. 22712/2024 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5943/2024

1. The Petitioners have approached this Court for quashing FIR No.72/2021 dated 20.02.2021 registered at Police Station Karawal Nagar for offences under Section 135, 138 & 150 of Indian Electricity Act, 2003.
2. It is stated in the FIR that the officers of Respondent No.2 conducted a raid on the premises of the Petitioners on 15.09.2020 and found that the Petitioners have been committing theft of electricity by using electricity illegally. Consequently, the instant FIR was registered against the Petitioners.



3. It is stated that pending the trial, the parties have entered into a settlement. It is stated that the Petitioners have paid a sum of Rs.2,99,700/- in lieu of full and final settlement with Respondent No.2. It is stated that after the payment of the entire settlement amount to Respondent No.2, a No Dues Certificate dated 22.07.2024 has been issued by the Respondent No.2, which has been annexed with the present petition as Annexure P-2.

4. It is contended by the learned Counsel for the Petitioners that in view of the No Dues Certificate, since the claims of the Respondent No.2 are satisfied, no useful purpose would be served in continuing with the present proceedings.

5. The Petitioner places reliance on the judgments passed by the Coordinate Benches of this Court to substantiate his contentions that once the parties have entered into a settlement, the offences under Section 135, 138 & 150 of the Indian Electricity Act can be quashed. Reliance has been placed on the following judgments:

- a) Vijay Kumar v. The State (NCT of Delhi) and Ors., **CRL. M.C. No. 3845 of 2018;**
- b) Ajeet Kumar v. The State (GNCT Delhi) and Ors., **CRL. M.C. No.63 of 2016;**
- c) Dev Kant Kamat v. State (NCT of Delhi) and Ors., **CRL. M.C. No.5087/2014.**

6. In the abovementioned three judgments, this Court has quashed FIRs in view of the settlements entered into between the parties and after No Dues Certificate has been issued by the Electricity Board.

7. In view of the fact that the Petitioners have paid the entire amount as per the settlement and Respondent No.2 has issued the No Dues Certificate,



this Court is inclined to quash the instant FIR. Resultantly, FIR No.72/2021 dated 20.02.2021 registered at Police Station Karawal Nagar for offences under Section 135, 138 & 150 of Indian Electricity Act, 2003 and the proceedings emanating therefrom are hereby quashed.

8. The petition stands disposed of in the abovementioned terms along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 2, 2024

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