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

+ **W.P.(CRL) 19/2024**

SHRI DEEPAK JAIN

..... Petitioner

Through: Mr. Fanish Kumar Jain, Ms. Manju B. Jain and Mr. Kapil Chandhari, Advs.

versus

STATE NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Sanjay Lao, SC for State with Ms. Priyam Aggarwal, Adv. with ASI Udayvir and ASI Adesh Kumar, PS. GTB Enclave.
Mr. Rishab Raj Jain and Mr. Harshal Arora, Advs. for BSESYPL.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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04.01.2024

CRL.M.A. 177/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition has been filed under Articles 226 and 227 of the Constitution of India read with Section 482 CrPC seeking quashing of FIR No. 209/2021 under Sections 135/138/150 of Indian Electricity Act, 2003 registered at Police Station GTB Enclave, District Shahdara, Delhi and all consequential proceedings emanating therefrom on the ground that the parties have arrived at a settlement.
4. Issue notice. The learned Standing Counsel for the State accepts



notice. He submits that since the parties have arrived at a settlement, the State has no objection in case the FIR in question is quashed.

5. The petitioner is present in the Court and he has been identified by his counsel, as well as, by the Investigating Officers ASI Udayvir and ASI Adesh Kumar, PS. GTB Enclave.

6. The brief facts of the case are that on 19.01.2021, an inspection of the factory premises of the petitioner was carried out by the officials of the respondent no.2 and on the basis of allegations of theft of electricity, the aforesaid FIR came to be registered.

7. During the pendency of the proceedings, the parties were referred to Delhi Mediation Centre, Karkardooma Courts, Delhi, where they arrived at a settlement, terms whereof were reduced in writing in the form of a Settlement dated 20.03.2023, which is annexed as Annexure P-4 to the present petition.

8. As per the aforesaid settlement, the petitioner has agreed to pay total sum of Rs.23.50 lacs towards the full and final settlement of the disputed bill of electricity charges which was raised subsequent to the inspection carried out by the respondent no.2.

9. The learned counsel for the petitioner submits that the full and final settlement amount has been paid and the receipts issued against such payments are annexed to the present petition as Annexure P-6.

10. The aforesaid position is affirmed by the learned counsel for the respondent no.2. He submits that he has instructions to state that the respondent no.2 has no objection in case the aforesaid FIR is quashed. The Statement is taken on record.

11. In view of the fact that the parties have arrived at a settlement, no



useful purpose will be served in continuing the proceedings, rather it would be an exercise in futility.

12. It is, thus, in the interest of justice that the present FIR and all the other proceedings emanating therefrom be quashed.

13. Consequently, the petition is allowed and the FIR No. 209/2021 under Sections 135/138/150 of Indian Electricity Act, 2003 registered at Police Station GTB Enclave, District Shahdara, Delhi alongwith all other proceedings emanating therefrom, is quashed.

14. The petition stands disposed of in the above terms.

15. Order be uploaded on the website of this court.

VIKAS MAHAJAN, J

JANUARY 4, 2024/dss