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

+ **CRL.M.C. 7875/2024**

JAMILUDDIN KATARIA

.....Petitioner

Through: Mr. Sunil Kumar Karla, Ms. Anamika Malik, Advs. with petitioner.

versus

THE STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP for State and SI Anugraha, PS Welcome.

Mr. Sanjeet Kumar Trivedi, Adv. for R-2/BSES.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

07.10.2024

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1. The present petition has been filed under Section 528 BNSS seeking quashing of FIR No. 364/2021 dated 25.07.2021 under Section 135 Indian Electricity Act registered at PS Welcome and the proceedings emanating therefrom.
2. Issue notice.
3. Learned APP for the State has accepted the notice.
4. Mr. Sanjeet Kumar Trivedi learned counsel appearing on behalf of respondent No.2 has appeared through VC and accepted the notice.
5. Both the parties submits that the matter has already been settled before Ld. ASJ-05 (Electricity), East District Court, Karkardooma Courts, Delhi on 04.03.2024.
6. Respondent No.2 has also issued the No Objection Certificate.
7. Learned counsel for the respondent No.2 submits that since the matter



has been settled, respondent No.2 has no objection if the FIR No. 364/2021 dated 25.07.2021 under Section 135 Indian Electricity Act registered at PS Welcome and the proceedings emanating therefrom are quashed.

8. In *Narinder Singh v. State of Punjab*, (2014) 6 SCC 466, the Supreme Court explained the principles governing the powers of the High Court to quash or not to quash proceedings on the basis of settlement in cases of non-compoundable offenses. The Court clarified that the power conferred under Section 482 of the Code of Criminal Procedure (CrPC) is distinct from the power to compound offenses under Section 320 of the Code. Under Section 482, the High Court can exercise its inherent powers to quash proceedings even for non-compoundable offenses if the settlement between the parties justifies such an action. The Court emphasized that this power should be exercised carefully, considering the nature of the offense and the broader impact on society.
9. Taking into account the totality of facts and circumstances of the case, this court considers that no purpose will be served in continuing with the trial.
10. In view of the above, FIR No. 364/2021 dated 25.07.2021 under Section 135 Indian Electricity Act registered at PS Welcome and all the other proceedings emanating therefrom are quashed.
11. The present petition along with all the pending application(s), if any, stands disposed of.

DINESH KUMAR SHARMA, J

OCTOBER 7, 2024/AR/NA..