



\$~72

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

+ CRL.M.C. 10152/2024

ADITYA VIKRAM SINGH SETHI

.....Petitioner

Through: Mr. Parmesh Bali and Mr. Saurav
Vats, Advocates.

versus

THE STATE (NCT OF DELHI) & ANR

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
with SI Sandeep, PS-Punjabi Bagh.
Mr. Akhil Hasija, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

23.12.2024

%

1. The instant petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") [earlier under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "Cr.P.C")] has been filed on behalf of the petitioner praying for quashing of FIR bearing No. 722/2020 registered at Police Station - Punjabi Bagh, Delhi for offences punishable under Section 135 of the Indian Electricity Act, 2003 and consequent proceedings emanating from the said FIR.

2. The brief facts of the case, as per the complaint, are that on 29th November, 2018, at around 2:56 PM, a joint inspection team of the respondent no. 2 inspected the premises of the petitioner's house i.e., House No. 38, Road no. 52 basement, West Punjabi Bagh, Near pole no. PJB-M-170, New Delhi – 110026. During the inspection, the concerned officers did



not find any electronic meter at the site and was observed that the petitioner was found to be indulged in electricity theft. Accordingly, the instant FIR was registered against the petitioner.

3. Learned counsel for the petitioner submitted that the petitioner resolved the said dispute with the respondent no. 2, thereby agreeing to pay a sum of Rs. 5,48,100/- as full and final settlement amount. Therefore, in view of the same, a No Dues Letter was issued by the respondent no. 2 and the same is annexed to the instant petition as Annexure C.

4. Therefore, it is prayed by the learned counsel appearing on behalf of the parties that the instant FIR may be quashed on the basis of the compromise and 'No Dues Certificate' issued by the respondent no. 2 and in accordance with the settled law on this point as posited by the Hon'ble Supreme Court. At this juncture, the petitioner appearing in-person also undertakes to not repeat the same conduct in the future.

5. Mr. Yudhvair Singh Chauhan, learned APP for the State submitted that the State has no objection to the the instant petition being allowed and quashing of the FIR in question in view of the payment made by the petitioner to respondent no.2 and "No Dues Certificate" issued by the said respondent.

6. Heard learned counsel for the parties and perused the record.

7. In the case of **Gian Singh vs. State of Punjab, (2012) 10 SCC 303**, the Hon'ble Supreme Court observed quashing of the FIR on the basis of amicable resolution of disputes. It is further observed that if the High Court is of the view that continuation of criminal proceedings between the parties would amount to abuse of process of law despite the settlement or compromise between the parties, the same may be quashed.



8. The petitioner is present before this Court and has been identified by his counsel Mr. Parmesh Bali and the Investigating Officer. Learned counsel for complainant/respondent no. 2 is also present in the Court (through Video Conferencing).

9. On the query made by this Court, learned counsel appearing for respondent no.2/complainant has stated they have received the entire payment of Rs. 5,48,100/- and has issued “No Dues Certificate” pertaining to the instant issue. It is also stated by respondent No.2 that the entire dispute has been amicably settled between the parties.

10. Keeping in view the fact that parties have settled the matter as well as undertaking given by the petitioner along with the “No Dues Certificate” issued by the respondent no. 2, no useful purpose would be served by keeping the matter pending. Hence, FIR bearing No. 722/2020 registered at Police Station - Punjabi Bagh, Delhi for offences punishable under Section 135 of the Indian Electricity Act, 2003 and consequent proceedings emanating therefrom are quashed.

11. The petition along with pending applications, if any, stands disposed of.

CHANDRA DHARI SINGH, J

DECEMBER 23, 2024

NA/st

Click here to check corrigendum, if any