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

+ **CRL.M.C. 4028/2026 & CRL.M.A. 16319/2026**

MANGAL & ANR.

.....Petitioners

Through: Mr. Giri Chand, Mr. Divyansh
Tripathi, Advocates.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Hitesh Vali, APP. SI Ajay
Sharma, PS-Maurya Vihar.
Mr. Sanjeet Trivedi for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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20.05.2026

1. The petitioners have filed this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] (corresponding to Section 482 of the Code of Criminal Procedure, 1973 ["CrPC"]) seeking quashing of FIR No. 630/2020 dated 31.12.2020, registered at Police Station Mayur Vihar Phase-1, District East, Delhi, under Sections 135/150 of the Electricity Act, 2003, ["Electricity Act"] and all consequential proceedings emanating therefrom, on the ground of settlement.
2. Issue notice. Notice is accepted by Mr. Hitesh Vali, learned Additional Public Prosecutor, on behalf of the State. Mr. Sanjeet Trivedi, learned counsel, accepts notice on behalf of respondent No. 2.
3. The petition is taken up for disposal with the consent of learned counsel for the parties.



4. The case of the prosecution, in brief, is that respondent No.2/BSES Yamuna Power Ltd. lodged a complaint alleging direct theft of electricity at premises bearing adjacent of B-31/30, Block-31, Trilokpuri, Delhi-110091. It was alleged that the petitioners, being the tenant and landlord respectively, were indulging in direct theft of electricity through illegal wires connected to the BSES service cable without any authorised meter connection. Consequently, the subject FIR came to be registered on 31.12.2020.

5. During the pendency of proceedings before the Additional Sessions Judge (Electricity), East District, Karkardooma Courts, Delhi [“Sessions Judge”], the parties amicably resolved their disputes. On 28.03.2024, statements of the petitioners were recorded before the Sessions Court, wherein they agreed to settle the civil liability arising out of the impugned theft bill bearing Case ID No. YM270319SY012 for a sum of Rs.30,000/- payable to respondent No. 2 on or before 31.03.2024. The learned Sessions Judge, accordingly, recorded the settlement.

6. In compliance with the settlement and order dated 28.03.2024, the petitioners paid the entire settled amount of Rs.30,000/- to respondent No.2/BSES Yamuna Power Ltd. on 30.03.2024, whereafter respondent No.2 issued a receipt as well as a “No Dues Certificate” acknowledging full and final satisfaction of the civil liability. Respondent No.2 has no objection if the present FIR and all consequential proceedings are quashed.

7. The petitioners are present in Court and have been identified by their learned counsel as well as by the Investigating Officer [“IO”]. An authorised representative of respondent No.2/BSES is also present and



confirms the settlement as well as issuance of the “No Dues Certificate”, and is identified by Mr. Trivedi and the IO.

8. Although Sections 135/150 of the Electricity Act are compoundable offences, learned counsel for the petitioners submits that the petitioners do not wish to compound the offence but seeks quashing of the proceedings in their entirety. Mr. Trivedi confirms the issuance of the No Dues Certificate and submits that the entire civil liability stands satisfied and BSES has no objection to the quashing of the present FIR and consequential proceedings.

9. Learned counsel for the parties confirm that the settlement has been entered into voluntarily and without any coercion or undue pressure.

10. The Supreme Court has clearly held that, in certain circumstances, the High Courts, in exercise of their powers under Section 528 of BNSS (corresponding to Section 482 of CrPC), can quash criminal proceedings, even with respect to non-compoundable offences, on the ground that there is a compromise between the accused and the complainant, especially when no overarching public interest is adversely affected.

11. The Supreme Court, in *Gian Singh v. State of Punjab & Anr.*¹ has held as follows:

“58. Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled although the offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor. No doubt, crimes are acts which have harmful effect on the public and consist in wrongdoing that seriously endangers and threatens the well-being of the society and

¹ (2012) 10 SCC 303.



it is not safe to leave the crime-doer only because he and the victim have settled the dispute amicably or that the victim has been paid compensation, yet certain crimes have been made compoundable in law, with or without the permission of the court. In respect of serious offences like murder, rape, dacoity, etc., or other offences of mental depravity under IPC or offences of moral turpitude under special statutes, like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, the settlement between the offender and the victim can have no legal sanction at all. However, certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim and the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The above list is illustrative and not exhaustive. Each case will depend on its own facts and no hard-and-fast category can be prescribed.”²

Further, in *Narinder Singh & Ors. v. State of Punjab & Anr.*³, the Supreme Court has also laid down guidelines for High Courts while accepting settlement deeds between parties and quashing the proceedings. The relevant observations in the said decision read as under:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. No doubt, under Section 482 of

² Emphasis supplied.

³ (2014) 6 SCC 466.



the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves. However, this power is to be exercised sparingly and with caution.

29.2. When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”⁴

12. The allegations in the present FIR arise out of an assessment relating to alleged theft of electricity and the consequential civil liability raised by respondent No.2/BSES. The dispute is essentially commercial and financial in nature. The petitioners have already settled the assessed

⁴ Emphasis supplied.



dues with respondent No.2 by paying the agreed settlement amount of Rs.30,000/-, and respondent No.2 has issued a “No Dues Certificate” acknowledging satisfaction of the civil liability. Respondent No.2 has categorically stated that it has no objection to quashing of the present FIR and proceedings emanating therefrom.

13. Having regard to the fact that the parties have amicably settled their disputes, that the civil liability stands fully discharged, and that continuation of criminal proceedings would serve no useful purpose, this Court is of the view that the possibility of conviction is remote and bleak. Continuation of the proceedings would only result in unnecessary prolongation of litigation and wastage of valuable judicial time.

14. Having regard to the above discussion, the petition is allowed, and FIR No. 630/2020 dated 31.12.2020, registered at Police Station Mayur Vihar Phase-1, District East, Delhi, under Sections 135/150 of the Electricity Act, alongwith all consequential proceedings arising therefrom, is hereby quashed.

15. The petition, alongwith the pending application, accordingly stands disposed of.

PRATEEK JALAN, J

MAY 20, 2026
‘B/JM’/