

Khushboo vs The State & Anr on 16 December, 2021

Author: Anu Malhotra

Bench: Anu Malhotra

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 3283/2021

KHUSHBOO

..... Pet
Through: Ms.Manisha Mehta and Mr.Raja
Rajoria, Advocates

versus

THE STATE & ANR.

..... Respo
Through: Mr.Izhar Ahmad, APP for Stat
SI Sandeep Yadav
Mr.Deepak Pathak, Adv for R-
BSES

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA
ORDER

% 16.12.2021 Exemption allowed, subject to just exceptions.

The petitioner has joined the proceedings through video conferencing. The petitioner vide the present petition seeks the quashing of the FIR No. 200/2021, Police Station Mehrauli registered under Section 135 of the Electricity Act, 2003 submitting to the effect that the matter has since been settled between the petitioner and the respondent No.2 before the Permanent Lok Adalat III vide a settlement agreement dated 11.9.2021 and that pursuant thereto the 'No Objection Certificate' has been issued by the respondent No.2 to the petitioner on 24.11.2021 and the documents in relation thereto as placed on record as Annexure A-2 qua the settlement and Signature Not Verified Digitally Signed By:SUMIT GHAI Signing Date:17.12.2021 15:02:37 This file is digitally signed by PS to HMJ ANU MALHOTRA.

the 'No Objection Certificate' as issued by the respondent No.2 is placed on record as Annexure-A-3 in relation to Bill No. AGENR1801202 10025AO dated 18.01.2021.

It is submitted on behalf of the State that in view of the settlement arrived at between the parties, there is no opposition to the prayer made by the petitioner seeking the quashing of the FIR No. 200/2021, Police Station Mehrauli registered under Section 135 of the Electricity Act, 2003 taking into account the factum that the offence punishable under Section 135 of the Electricity Act, 2003 is compoundable in terms of Section 152 of the said enactment and no dues certificate has been issued by the respondent No.2 in view of the catena of verdicts in "NARESH JHANJHI & ANR VS. STATE

OF NCT OF DELHI & ANR" in CRL.M.C. 4179/2015, "SHIV CHARAN VS. THE STATE & ANR" in CRL.M.C. 3176/2015, "RAJESH KUMAR VS. THE STATE GOVT OF NCT OF DELHI & ANR" in CRL.M.C. 4494/2017, "SUDESH MAAN & ANR. VS. THE STATE GOVT OF NCT OF DELHI & ANR" in CRL.M.C. 5181/2017, "RAVINDER KUMAR VS. THE STATE GOVT OF NCT OF DELHI & ANR" in CRL.M.C. 242/2018 and in view of the verdict of the Apex Court in "SURESH GANPATI HALANKAR VS. THE STATE OF MAHARASHTRA & ORS" dated 22.01.2018 in CRL.A. 156/2018; and in view of the verdict of judgment of this Court in "ATIF RAZA VS. STATE (NCT OF DELHI) & ANR." In CRL. M.C. 4421/2017 and in "MOHD. ASLAM VS. STATE GOVT OF NCT OF DELHI & ANR" in CRL.M.C. 1232/2018, in "SATISH KUMAR & ORS. VS. THE STATE OF DELHI & ANR." in CRL.M.C.326/2018 and in Sh. Pankaj Jain Vs. State and Another in Crl.M.C.265/2021 vide judgment dated 15.02.2021 and Sanjeev Signature Not Verified Digitally Signed By:SUMIT GHAI Signing Date:17.12.2021 15:02:37 This file is digitally signed by PS to HMJ ANU MALHOTRA.

Dua v. State and Another in Crl. M.C.No. 904/2021, vide judgment dated 17.03.2021, it is considered appropriate to put a quietus to the litigation between the parties qua the FIR in question and thus the prayer made by the petitioner seeking quashing of the FIR No. 200/2021, Police Station Mehrauli registered under Section 135 of the Electricity Act, 2003 is allowed and the FIR is quashed.

The petition is disposed of.

ANU MALHOTRA, J DECEMBER 16, 2021/SV Signature Not Verified Digitally Signed By:SUMIT GHAI Signing Date:17.12.2021 15:02:37 This file is digitally signed by PS to HMJ ANU MALHOTRA.

IN THE HIGH COURT OF DELHI : NEW DELHI 16.12.2021.

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CW-1 SI SANDEEP YADAV Police Station MEHRAULI ON S.A. I am the deputed Investigating Officer qua the FIR No. 200/2021, Police Station Mehrauli registered under Section 135 of the Indian Electricity Act. I identify the petitioner, who has joined the proceedings through video conferencing, as being the accused therein.

ANU MALHOTRA, J RO & AC 16.12.2021.

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