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

% ***Date of Decision: 09th March, 2026***

+ CRL.M.C. 1659/2026 & CRL.M.A. 6759/2026

SH NIKKY CHAUDHARYPetitioner

Through: Mr. Pradeep Kasana and Mohd.
Sarfaraj, Advocates

versus

THE STATE (NCT OF DELHI) & ANR.Respondent

Through: Mr. Raj Kumar, APP for State/R-1
Mr. Sanjeet Trivedi, Advocate for
R-2/BSES (Through VC)
SI Vishal Rana, PS Gandhi Nagar and
HC Puneet Anand, 3rd Battalion, DAP

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner Nikky Chaudhary herein seeks quashing of FIR No. 121/2019 dated 27.05.2019, registered at Police Station Gandhi Nagar, for commission of offence under 135 of Indian Electricity Act, 2003 along with all consequential proceedings arising therefrom.

2. BSES Rajdhan Power Limited (respondent no. 2 herein) had carried out an inspection on 01.05.2019 at the premises in question i.e. IX/5243, Ground Floor, Old Seelam Pur Village, Gandhi Nagar, Delhi-110031 and during such inspection, one electricity meter was found tampered with and it was noticed that direct theft of electricity was being done by connecting electricity supply with illegal wires. On the basis of such inspection, a complaint was made to the concerned police station which resulted in registration of aforesaid FIR.



3. Electricity meter in question was in the name of petitioner Nikky Chaudhary and FIR was accordingly registered against him for offence under Section 135 of Electricity Act, 2003.
4. During investigation, the complicity of tenants i.e. Tota Ram and Sushma @ Seema came to fore. They were served with notice under Section 41A of Cr.P.C.
5. Charge-sheet also named all the abovesaid three persons.
6. Charges have been ascertained against all the three accused persons.
7. During trial, other two accused persons i.e. Tota Ram and Sushma @ Seema, however, absconded and have been declared proclaimed offenders.
8. However, thereafter, settlement has taken place between petitioner herein and BSES. The terms thereof stand reflected in order dated 03.09.2024 passed by learned Trial Court. As per terms of settlement, petitioner herein i.e. Nikky Chaudhary has agreed to make payment of Rs. 34,91,000/- towards civil liability. The aforesaid amount has been duly paid. Resultantly, respondent no. 2-BSES has issued *no dues certificate* confirming the receipt of the entire payment.
9. It is in the aforesaid backdrop that petitioner herein seeks quashing of aforesaid FIR *qua* him.
10. Learned Addl. P.P. for State and learned counsel for respondent no. 2-BSES appear on advance notice. Learned counsel for respondent no. 2 submits that though the aforesaid settlement was in relation to the civil liability, as per specific instructions, respondent no. 2 would have no objection to the quashing of the FIR against the petitioner herein.
11. Consequently, to secure the ends of justice, FIR No. 121/2019 dated 27.05.2019, registered at police station Gandhi Nagar, for commission of



offence under 135 of Indian Electricity Act, 2003 along with all consequential proceedings arising therefrom, so far as it relates to petitioner herein, is hereby, quashed subject to cost of Rs. 25,000/- to be deposited by petitioner with concerned *District Legal Service Authority*.

12. The petition stands disposed of in aforesaid terms.
13. Pending application also stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

MARCH 9, 2026/dr/pb