



2025:DHC:7453



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

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Date of decision: 28.08.2025

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CRL.M.C. 2683/2025 & CRL.M.A. 12032/2025 EXEMPTION

SHUBHAM MALIK AND ANRPetitioners

Through: Mr. Adv.
Petitioners in person.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Hitesh Vali, APP with SI
Anil P.S.Seemapuri.
Mr. Sanjeet Trivedi, Adv. for
R-2/BSES

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

JUDGMENT(ORAL)

RAVINDER DUDEJA, J.

1. This is a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, seeking quashing of FIR No. 430/2020, dated 19.09.2020, registered at P.S Seemapuri, Delhi under Sections 135/138/150 of Indian Electricity Act (Amend) 2003 and all proceedings emanating therefrom on the basis of settlement between the parties.



2. As per averments made in the FIR, on 25.10.2019 an inspection conducted by Respondent no. 2 at Plot No. 32, Dilshad Garden Ind. Area revealed tampering of electricity meter No. 19010092 with unauthorized seals and excess connected load (76.316 KW against sanctioned 52 KW). Further, testing by respondent no. 2 confirmed meter tampering and dishonest use of electricity by petitioners. A theft bill of ₹83,79,657/- was raised but remained unpaid. FIR No. 430/2020 was lodged at instance of Respondent no. 2 under sections 135/138/150 of Indian Electricity Act (Amend) 2003 at PS Seemapuri against the petitioners.

3. During the course of proceedings, the parties amicably resolved their disputes and obtained an Award of Settlement dated 31.05.2023 before the permanent Lok Adalat-II, BSES building, Mata Sundari Lane, New Delhi . Pursuant to the aforesaid settlement, petitioners have cleared all their dues totaling to Rs. 19,00,000/- (Rupees Nineteen Lacs only) as per schedule mentioned in the award. It is submitted that in regards to the same, respondent no. 2 has also issued a No Dues Certificate dated 29.02.2024. Copy of the Award of Settlement dated 31.05.2022 and No Dues Certificate dated 29.02.2024 has been annexed as Annexure B & Annexure C.

4. Petitioners are physically present before the Court while respondent no. 2 is being represented by Mr. Sanjeet Trivedi,



Advocate. Petitioners have been identified by their respective counsels as well as by the Investigating Officer SI Anil from PS Seemapuri.

5. Learned counsel for Respondent No. 2 confirms that the matter has been amicably settled with the petitioners without any force, fear, coercion and respondent no.2 has received the total amount of Rs. 19,00,000/- from the petitioners in terms of settlement and respondent no. 2 has no objection if the FIR No. 430/2020 is quashed against the Petitioners.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 430/2020 is quashed.

7. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. Further, it is settled that the inherent powers under section 482 of the Code are required to be exercised to secure the ends of justice or



to prevent abuse of the process of any court. Further, the High Court can quash non-compoundable offences after considering the nature of the offence and the amicable settlement between the concerned parties. Reliance may be placed upon *B.S. Joshi v. State of Haryana, (2003) 4 SCC 675*.

9. In view of the above facts that the parties have amicably resolved their differences out of their own free will and without any coercion. Hence, it would be in the interest of justice, to quash the abovementioned FIR and the proceedings pursuant thereto.

10. The petition is allowed, and the FIR No. 430/2020, dated 19.09.2020, registered at P.S Seemapuri, Delhi under section 135/138/150 of Indian Electricity Act (Amend) 2003 and all the other consequential proceeding emanating therefrom is hereby quashed.

11. Petition is allowed and disposed of accordingly.

12. Pending application(s), if any, also stand disposed of.

न्यायमेव जयते

RAVINDER DUDEJA, J

August 28, 2025

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