

**Parmeshwari and ors Vs. State and ors**

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**SooperKanoon Citation :** [sooperkanoon.com/1171251](http://sooperkanoon.com/1171251)

**Court :** Delhi

**Decided On :** Aug-19-2014

**Judge :** Sudershan Kumar Misra

**Appellant :** Parmeshwari and ors

**Respondent :** State and ors

**Judgement :**

§~54 \* IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 3650/2014  
PARMESHWARI & ORS ..... Petitioner Through Mr. Satish Kumar, Advocate.  
versus STATE & ORS Through ..... Respondent Mr. P.K. Mishra, Additional Public  
Prosecutor . Ms. Pallavi Deepika, Advocate for BSES. CORAM: HON'BLE MR.  
JUSTICE SUDERSHAN KUMAR MISRA % SUDERSHAN KUMAR MISRA, J.

(Oral) Crl.M.A. No.12570/2014 Exemption, as prayed for, is allowed, subject to all just exceptions. This application is disposed off. Crl.M.C. No.3650/2014 & Crl.M.A. No.12571/2014 1. This petition under Section 482 Cr.P.C. has been filed seeking quashing of FIR No.260/2013 dated 17.06.2013 registered under Section 135 of the Indian Electricity Act, at police station Neb Sarai and all proceedings emanating therefrom, on the ground that that the matter has been amicably settled and the entire payment with respect to the claim of the electricity company has been made.

2. Issue notice.

3. Mr. P. K. Mishra, Additional Public Prosecutor for the State and Ms. Pallavi Deepaka, Advocate for respondent No.2/BSES, accept notice.

4. Counsel for the respondent company affirms the aforesaid fact and states that she has no objection to the impugned FIR No.260/2013, and all proceedings emanating therefrom, being quashed since the matter has been amicably settled between the parties.

5. Learned counsel for the State states that looking to the situation, especially where the complainant is not ready to support the prosecution, no useful purpose will be served in continuing the proceedings any further.

6. Under the circumstances, Looking to the decision of the Supreme Court in Gian Singh v. State of Punjab, (2012) 10 SCC303 which has referred to a number of matters for the proposition that even a noncompoundable offence can also be quashed on the ground of a settlement agreement between the offender and the victim, if the circumstances so warrant; by observing as under:

58. ....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.

I am of the opinion that no useful purpose will be served in continuing with the present proceedings since the parties have settled the matter, and where the complainant is not supporting the prosecution.

7. Consequently, the petition is allowed and FIR No.260/2013 dated 17.06.2013 registered under Section 135 of the Indian Electricity Act, at police station Neb Sarai and all proceedings emanating therefrom, are hereby quashed.

8. The petition, along with CrI.M.A. No.12571/2014, is disposed off.

9. Dasti. SUDERSHAN KUMAR MISRA, J AUGUST19 2014 dr

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