

(2021) 03 KL CK 0307

In the High Court Of Kerala

Case No : Criminal Miscellaneous No. 5634 Of 2020

Abdul Rahman And Ors

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

Date of Decision : 25-03-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 498(A)

Citation : (2021) 03 KL CK 0307

Hon'ble Judges : Shircy V, J

Bench : Single Bench

Advocate : S. Jiji, M.M. Baby, Ajith Murali

Final Decision : Allowed

Judgement

1. Petition under Section 482 of the Code of Criminal Procedure.
2. The petitioners are the accused in Crime No. 20 of 2020 of Manjeshwar Police Station registered for the offence punishable under Section 498A of Indian Penal Code, now pending on the file of the Judicial First Class Magistrate-II, Kasaragod.
3. Heard both sides and perused the records.
4. It is submitted by the learned counsel for the petitioners that due to the intervention of well wishers, the parties have resolved the entire dispute among themselves and there is no subsisting dispute between them. Therefore, this petition to quash Annexure A1 FIR.
5. Learned counsel appearing for the 2nd respondent/defacto complainant has submitted that she has absolutely no grievance or complaint against the petitioners. Annexure A2, the affidavit sworn to by her, indicates that she has no intention to pursue the matter further.
6. The learned Public Prosecutor has reported that the prosecution has no serious objection in allowing the petition.

7. As the dispute has been amicably settled, the possibility of conviction is remote and bleak.

8. Therefore, considering the special facts and circumstances involved in this case, I find that no fruitful purpose is likely to be served by proceeding with the matter against the petitioners. Moreover, no public interest is involved in the case and there is no legal impediment in granting the prayer as sought for by the petitioners. Therefore, for the purpose of securing the ends of justice, this CrI.M.C. is only to be allowed.

For the foregoing reasons, Annexure A1 FIR in Crime No. 20 of 2020 of Manjeshwar Police Station and all further proceedings therein will stand quashed as prayed for.