
(2023) 04 KL CK 0192

In the High Court Of Kerala

Case No : Criminal Miscellaneous Petition No. 3338 Of 2023

Ashik K S

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 28-04-2023

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 34, 294(b), 341, 427

Citation : (2023) 04 KL CK 0192

Hon'ble Judges : Basant Balaji, J

Bench : Single Bench

Advocate : Ajeesh M Ummer, Seena C

Final Decision : Allowed

Judgement

Basant Balaji, J

1. This is a petition filed under Section 482 of the Code of Criminal Procedure to quash Annexure-2 final report and all further proceedings in Crime No.560/2022 of Kodanad Police Station, now pending as C.C.No.498/2022 before the Judicial First Class Magistrate's Court-III, Perumbavoor. The offences alleged against the petitioners are under Sections 341, 294(b) and 427 read with 34 of the Indian Penal Code.
2. The learned counsel for the petitioners submits that, as regards the first accused, this Court has quashed the entire proceedings in CrI.M.C.No.887/2023.
3. The learned Public Prosecutor submits that the instruction proceeds reveal that the petitioners have no antecedents and this is the only crime registered against them. Annexure-3 is an affidavit filed by the de facto complainant stating that the compromise settlement arrived between the petitioners and the de facto complainant can be accepted and the proceedings against the petitioners can be terminated.

4. Recording the submission of the learned Public Prosecutor as well as Annexure-3 affidavit and the judgment of this Court in CrI.M.C.No.887/2023, I am inclined to allow this CrI.M.C.

In the result, the final report in Crime No.560/2022, now pending as C.C.No.498/2022 before the Court of the Judicial First Class Magistrate-III, Perumbavoor, as against the petitioners is quashed.

The CrI.M.C. is allowed as indicated above.