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**(2021) 01 KL CK 0439**

**In the High Court Of Kerala**

**Case No : Criminal Miscellaneous Case No. 4772 Of 2020**

Jithin B.K And Ors

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

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**Date of Decision : 19-01-2021**

**Acts Referred:**

Code Of Criminal Procedure, 1973 — Section 482  
Indian Penal Code, 1860 — Section 34, 494, 498(A)

**Citation : (2021) 01 KL CK 0439**

**Hon'ble Judges : Shircy V, J**

**Bench : Single Bench**

**Advocate : B. Ananthu, R. Sreehari, Ajith Murali**

**Final Decision : Allowed**

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## **Judgement**

1. Petition under Section 482 of the Code of Criminal Procedure.

2. The petitioners are the accused in Crime No. 725 of 2019 of Mannarkkad Police Station registered for the offences punishable under Section 498A

and 494 read with Section 34 of Indian Penal Code now pending as C.C. No. 643 of 2019 on the file of the Judicial First Class Magistrate,

Mannarkkad.

3. It is submitted by the learned counsel for the petitioners that the parties have resolved their entire disputes among themselves and as such there is

no subsisting dispute between them. Therefore, this petition to quash the Annexure 1 Final Report in Crime No. 725 of 2019 of Mannarkkad Police

Station and all further proceedings in C.C. No. 643 of 2019 on the file of Judicial First Class Magistrate, Mannarkkad.

4. Learned counsel appearing for the 2nd respondent/defacto complainant has submitted that she has absolutely no grievance or complaints against the

petitioners. Annexure 2 is the affidavit sworn to by her in support of the submission of the petitioners. The affidavit further indicates that she has no intention to pursue the matter further.

5. The learned Public Prosecutor has reported that the prosecution has no serious objection in allowing the petition. It is also submitted that as the dispute has been amicably settled, the possibility of conviction is remote and bleak and therefore, no useful purpose would be served in proceeding with the case.

6. On hearing the submissions of all concerned, on perusal of the records as well on consideration of 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 Crl.M.C. is only to be allowed.

For the foregoing reasons, Annexure 1 final report and Annexure 2 final report in Crime No. 725 of 2019 of Mannarkkad Police Station and all further proceedings in C.C. No. 643 of 2019 on the file of Judicial First Class Magistrate, Mannarkkad will stand quashed as prayed for.