
(2013) 01 KL CK 0036
In the High Court Of Kerala
Case No : Criminal MC. No. 3399 of 2012

K. Sivaprasad

APPELLANT

Vs

State of Kerala and Bindu

RESPONDENT

Date of Decision : 07-01-2013

Acts Referred:

Citation : (2013) 01 KL CK 0036

Hon'ble Judges : T.R. Ramachandran Nair, J

Bench : Single Bench

Advocate : K. Raveendran, for the Appellant; C.P. Peethambaran, for R3 and Sri. Rajesh Vijayan, Public Prosecutor for R1 and R2, for the Respondent

Judgement

T.R. Ramachandran Nair, J.—The prayer is to quash the charge in C.C. No. 159/2012 on the file of the Judicial First Class Magistrate Court, Kayamkulam in the light of the settlement between the petitioner and the 3rd respondent who are husband and wife. It is submitted by the learned counsel appearing for both parties that the parties have settled their disputes and are living together. The 3rd respondent has filed an affidavit before this Court stating inter alia that all the disputes have been settled and they have decided to lead a happy and peaceful married life in future. It is also stated that they are residing together and she is now eight months old pregnant. The proceedings of the criminal case is clear from Annexure-A, true copy of the First Information Report in Crime No. 276/2011 of Vallikunnam Police Station. Annexure-D is a copy of the final report and the case has been numbered as C.C. No. 159/2012.

2. In the light of the settlement between the parties, there is no real purpose in proceeding with the criminal case, submits the learned counsel for both parties. Having heard the parties and perused the pleadings, I am satisfied that this is a fit case where the proceedings can be quashed in the light of the principles stated in Gian Singh Vs. State of Punjab and Another, since the parties have settled their disputes.

The Crl. M.C. is allowed and the proceedings in C.C. 159/2012 on the file of the Judicial First Class Magistrate Court, Kayamkulam will stand quashed.