

**(2021) 03 KL CK 0259**

**In the High Court Of Kerala**

**Case No : Criminal Miscellaneous No. 5457 Of 2020**

Mohammed Shafeer And Ors

APPELLANT

Vs

Safanath And Ors

RESPONDENT

**Date of Decision : 23-03-2021**

**Acts Referred:**

Code Of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 34, 323, 406, 420, 498(A)

**Citation : (2021) 03 KL CK 0259**

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

**Bench : Single Bench**

**Advocate : V. Binoy Ram, P. Premarajan, C.N. Prabhakaran**

**Final Decision : Allowed**

## **Judgement**

1. Petition under Section 482 of the Code of Criminal Procedure.
2. The petitioners are the accused in Crime No. 832 of 2012 of Vadakekad Police Station registered for the offences punishable under Sections 406, 498A, 420, 323 read with 34 of Indian Penal Code, now pending as C.C. No. 683 of 2013 on the file of the Judicial First Class Magistrate, Kunnamkulam.
3. Heard both sides and perused the records.
4. It is submitted by the learned counsel for the petitioners that the parties have resolved the entire dispute among themselves and there is no subsisting dispute between them. Therefore, this petition to quash the private complaint and the final report.
5. Learned counsel appearing for the 1st respondent/defacto complainant has submitted that she has absolutely no grievance or complaint against the petitioners. Annexure 5, 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 1 private complaint and Annexure 3 final report in Crime No.832 of 2012 of Vadakekad Police Station now pending as C.C. No. 683 of 2013 on the file of the Judicial First Class Magistrate, Kunnamkulam, will stand quashed as prayed for.