

(2024) 09 KL CK 0063

In the High Court Of Kerala

Case No : Criminal Miscellaneous Petition No. 4693 Of 2024

Muhammad Badusha

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 12-09-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 498A

Citation : (2024) 09 KL CK 0063

Hon'ble Judges : A. Badharudeen, J

Bench : Single Bench

Advocate : Happymon Babu, Happy Mariya Benny, Blessy Mary Sebastian, M P Prasanth

Final Decision : Allowed

Judgement

A. Badharudeen, J.

1. This criminal miscellaneous case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash Annexure -A1 FIR in Crime No.321/2022 of Tamarassery Police Station, Kozhikode District.

2. Heard the learned counsel for the petitioner, the learned counsel appearing for the de facto complainant and the learned Public Prosecutor.

3. In this matter, prosecution alleges commission of offence punishable under Section 498A of the Indian Penal Code, against the accused.

4. It is submitted that the matter has been amicably settled and the de facto complainant filed affidavit in this regard. The de facto complainant stated in the affidavit that she has no intention to proceed further in this matter.

5. The learned Public Prosecutor also submitted that the matter has been settled between the parties and statement of the de facto complainant to that effect has been recorded.

6. Since the matter has been amicably settled between the parties, there is no reason to disallow the prayer for quashment so as to retain them in hazards of litigation. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this Criminal Miscellaneous Case stands allowed. Annexure-A1 FIR in C.rime No.321/2022 of Thamarassery Police Station, Kozhikode District, stands quashed.