

(2024) 08 KL CK 0039

In the High Court Of Kerala

Case No : Criminal Miscellaneous Petition No. 2781 Of 2024

Ramkumar T.K.

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 14-08-2024

Acts Referred:

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

Citation : (2024) 08 KL CK 0039

Hon'ble Judges : A. Badharudeen, J

Bench : Single Bench

Advocate : R.Parthasarathy, Seema, A.T.Anilkumar, 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 all further proceedings pursuant to Annexure.A1 FIR and Annexure.A2 Final Report in Crime No.1799/2016 of Gandhinagar Police Station, Kottayam, now pending as C.C. No.849/2017 on the files of the Judicial First Class Magistrate Court, Ettumanoor. The petitioner herein is the accused in the above case.

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

3. In this matter, offence punishable under Section 498(A) is alleged to have been committed by the accused and the defacto complainant is none other than the wife of the accused.

4. An affidavit sworn by the defacto complainant has been placed stating that the matter has been settled in between the parties and she has no grievance in the matter of quashing the proceedings.

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

6. Since the matter has been settled, there is no reason to disallow the prayer for quashment, so as to facilitate peaceful living of the married couple. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this petition stands allowed. Annexure.A1 FIR and Annexure.A2 Final Report in Crime No.1799/2016 of Gandhinagar Police Station, Kottayam, now pending as C.C. No.849/2017 on the files of the Judicial First Class Magistrate Court, Ettumanoor and the proceedings thereof as against the petitioner/accused stand quashed.