

(2021) 05 KL CK 0101

In the High Court Of Kerala

Case No : Criminal Miscellaneous Case No. 2056 Of 2021

Rino Joy And Ors

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

Date of Decision : 11-05-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 294(b), 324, 427, 451, 506

Citation : (2021) 05 KL CK 0101

Hon'ble Judges : P.V. Kunhikrishnan, J

Bench : Single Bench

Advocate : Jerie Ramesh, Bento Paulson, K.K. Sheeba

Final Decision : Allowed

Judgement

1. The petitioners are the accused in Crime No.119 of 2021 on the file of the Peechi Police Station, Thrissur. The above case is registered against the petitioners alleging offences punishable under Sections 451, 427, 324, 294 (b), 506 r/w 34 of the IPC.

2. When this matter came up for consideration, the learned counsel for the petitioners submitted that the matter is settled. The learned counsel appeared for the respondent Nos. 2 and 3, who are the victims in this case, also submitted that the respondent Nos. 2 and 3 have no grievance against the petitioners. The Public Prosecutor also submitted that the matter is settled. In the light of the above submissions, I think this CrI.M.C. can be allowed.

3. Having considered the gravity of the offences alleged, nature of the injury caused and having perused the affidavits filed by the respondent Nos. 2 and 3 the contents of which are submitted to be true and voluntary, I am satisfied that the matter has been amicably settled and that no public interest

is involved in this matter. Moreover, in view of the settlement arrived at between the parties, there is no possibility of the criminal proceedings ending

in conviction. As such, continuance of the proceedings will amount to an abuse of process of court and hence, in view of the legal position set out by

the Honourable Supreme Court in Madan Mohan Abbot v. State of Punjab [(2008) 4 SCC 582] and Gian Singh v. State of Punjab and another [(2012)

10 SCC 303], there is no impediment in granting the relief.

Hence, this CrI.M.C. is allowed. All further proceedings against the petitioners in Crime No.119 of 2021 on the file of the Peechi Police Station,

Thrissur, are quashed.