
(2021) 01 KL CK 0508

In the High Court Of Kerala

Case No : Criminal Miscellaneous Case No. 5841 Of 2020

Sadiq K.Y And Ors

APPELLANT

Vs

Sumayya K And Ors

RESPONDENT

Date of Decision : 21-01-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 34, 498(A)

Citation : (2021) 01 KL CK 0508

Hon'ble Judges : Shircy V, J

Bench : Single Bench

Advocate : T. Madhu, C.R. Saradamani, Shahid Azeez, C.N.Prabhakaran

Final Decision : Allowed

Judgement

1. Petition under Section 482 of the Code of Criminal Procedure.
2. The petitioners are accused Nos. 1 to 4 in Crime No. 206 of 2019 of Kumbala Police Station registered for the offences punishable under Section 498A read with Section 34 of Indian Penal Code, now pending as C.C. No. 669 of 2019 on the file of the Judicial First Class Magistrate-II, Kasaragod. The 1st petitioner and the 1st respondent are husband and wife.
3. It is submitted by the learned counsel for the petitioners that the parties have resolved the entire disputes among themselves and as such there is no subsisting dispute between them. Therefore, this petition to quash Annexure A2 final report in Crime No. 206 of 2019 of Kumbala Police Station.
4. Learned counsel appearing for the 1st respondent/defacto complainant has submitted that she has absolutely no grievance or complaints against the petitioners. Annexure A3 is the affidavit sworn to by her in support of the submission of the petitioners. The affidavit further indicates that she has no

intention to pursue the matter further.

5. The learned Public Prosecutor has reported that the prosecution has no serious objection in allowing the petition. It is also submitted that as the

dispute has been amicably settled, the possibility of conviction is remote and bleak and therefore, no useful purpose would be served in proceeding

with the case.

6. Heard both sides and perused the records.

7. On hearing the submissions of all concerned, as well on consideration of 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

Crl.M.C. is only to be allowed.

For the foregoing reasons, Annexure A2 final report in Crime No. 206 of 2019 of Kumbala Police Station now pending as C.C. No. 669 of 2019 on the

file of the Judicial First Class Magistrate-II, Kasaragod will stand quashed as prayed for.