

(2024) 12 KL CK 0072

In the High Court Of Kerala

Case No : Criminal Miscellaneous Petition No. 8649 Of 2024

Shaijulal @ Lalu

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 16-12-2024

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 528
Indian Penal Code, 1860 — Section 143, 147, 148, 149, 294(b), 323, 324, 341, 354, 506 (ii), 509

Citation : (2024) 12 KL CK 0072

Hon'ble Judges : A. Badharudeen, J

Bench : Single Bench

Advocate : Raphael Thekkan, M P Prasanth, Christine Mathew

Final Decision : Allowed

Judgement

A. Badharudeen, J

1. This Criminal Miscellaneous Case has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to quash Annexure-I FIR, Annexure-II Final Report and all further proceedings in C.C.No.1092/2021 on the files of the Judicial First Class Magistrate Court-I, Attingal arose out of Crime No.2673/2020 of Nagarur Police Station, Thiruvananthapuram. The petitioners herein are accused Nos.1 to 12 in the above case.

2. Heard the learned counsel for the petitioners, the learned counsel appearing for the 2nd respondent/de facto complainant and respondent Nos.3 to 8 who are injured persons. Also heard the learned Public Prosecutor.

3. In this matter, offences punishable under Sections 143, 147, 148, 149, 341, 294(b), 506 (ii), 509, 323, 324 and 354 of the Indian Penal Code, 1860 are alleged to have been committed by the accused.

4. It is submitted that the matter has been amicably settled and the 2nd respondent/de facto complainant and respondent Nos.3 to 8 filed separate

affidavits in this regard.

The 2nd respondent/de facto complainant and respondent Nos. 3 to 8 stated in the affidavits that they have 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 statements of the aggrieved persons except CW3 recorded directly. Statement of CW3 recorded over telephone.

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

In the result, this Criminal Miscellaneous Case stands allowed. Annexure-1 FIR, Annexure-2 Final Report and all further proceedings in C.C.No.1092/2021 on the files of the Judicial First Class Magistrate Court-I, Attingal arose out of Crime No.2673/2020 of Nagarur Police Station, Thiruvananthapuram against the petitioners/ A1 to A12 stand quashed.