

(2024) 05 KL CK 0102

In the High Court Of Kerala

Case No : Criminal Miscellaneous Petition No. 1077 Of 2017

Vinod

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 20-05-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Indian Penal Code, 1860 — Section 294(b), 323, 324, 354, 506(ii)

Citation : (2024) 05 KL CK 0102

Hon'ble Judges : A. Badharudeen, J

Bench : Single Bench

Advocate : Shajin S.Hameed, George Mecheril, Justine Jacob, M.P.Prasanth

Final Decision : Allowed

Judgement

A. Badharudeen, J

1. This criminal miscellaneous case has been filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973, to quash all further proceedings in Annexure-B Final Report in Crime No.255/2014 of Vanchiyoor Police Station, now pending as C.C.No.451/2014 before the Judicial First Class Magistrate Court-XI, Thiruvananthapuram. Petitioner herein is the sole accused in the above case.

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

3. In this matter, offences punishable under Sections 323, 324, 354, 506(ii) and 294(b) of IPC are alleged to have been committed by the petitioner.

4. An affidavit sworn by the de facto complainant/2nd respondent has been placed stating that the matter has been settled and she has no grievance in the matter of quashing the proceedings against the petitioner.

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 between the parties, there is no reason to disallow the prayer for quashment, so as to retain them in hazards of litigation. Moreover, the dispute between the petitioner and the complainant is purely personal in nature and no public interest is involved.

Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this Criminal Miscellaneous Case stands allowed. All further proceedings in Annexure-B Final Report in Crime No.255/2014 of Vanchiyoore Police Station, now pending as C.C.No.451/2014 before the Judicial First Class Magistrate Court-XI, Thiruvananthapuram, against the petitioner stand quashed.