

(2021) 03 KL CK 0284

In the High Court Of Kerala

Case No : Criminal Miscellaneous No. 1675 Of 2021

Vinu Jayan And Ors

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

Date of Decision : 24-03-2021

Acts Referred:

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

Citation : (2021) 03 KL CK 0284

Hon'ble Judges : Shircy V, J

Bench : Single Bench

Advocate : P. Mohamed Sabah, Saipooja, Libin Stanley, 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. 644 of 2018 of Eloor Police Station registered for the offence punishable under Section 498A of Indian Penal Code, now pending as C.C. No. 964 of 2018 on the file of the Judicial First Class Magistrate, Kalamassery.
3. Heard both sides and perused the records.
4. It is submitted by the learned counsel for the petitioners that the parties have resolved the entire dispute among themselves and there is no subsisting dispute between them. Therefore, this petition to quash the FIR and the final report.
5. Learned counsel appearing for the 3rd respondent/defacto complainant has submitted that she has absolutely no grievance or complaint against the petitioners. Annexure 3, the affidavit sworn to by her, indicates that she has no intention to pursue the matter further.
6. The learned Public Prosecutor has reported that the prosecution has no serious objection in allowing the petition.

7. As the dispute has been amicably settled, the possibility of conviction is remote and bleak.

8. Therefore, considering 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 CrI.M.C. is only to be allowed.

For the foregoing reasons, Annexure 1 FIR and Annexure 2 final report in Crime No.644 of 2018 of Eloor Police Station now pending as C.C. No. 964 of 2018 on the file of the Judicial First Class Magistrate, Kalamassery will stand quashed as prayed for.