

Moidu Vs. Nafeesa

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Court : Kerala

Decided On : Jan-30-2013

Judge : Honourable Mr.Justice T.R.Ramachandran Nair

Appellant : Moidu

Respondent : Nafeesa

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR WEDNESDAY, THE 30TH DAY OF JANUARY 2013 10TH MAGHA 193 CrI.MC.No. 673 of 2013 ()
----- C.C. NO.53/2012 OF JUDICIAL FIRST CLASS MAGISTRATE COURT,KASARAGOD -----

PETITIONER(S)/ACCUSED:- ----- MOIDU, AGED 4 YEARS, S/O.ALIKUNHI,RESIDING AT THALAKALA VILLAGE, MANJESHWAR POST,THALAKALA,KASARAGOD. BY ADV. SRI.T.B.SHAJIMON
COMPLAINANT(S)/RESPONDENTS/STATE:-:

----- 1. NAFEESA,, AGED 2 YEARS, D/O.ABDULLA,R/AT GOLİYADKA,NEERCHAL VILLAGE, KASARAGOD TALUK,KASARAGOD DISTRICT.

2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM. R1 BY ADV. SRI.SIJU MATHEW BY PUBLIC PROSECUTOR ADV. SRI. T.R. RAMA PRASAD UNNI THIS CRIMINAL

MISC. CASE HAVING COME UP FOR ADMISSION ON 30-01-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: NS CrI.MC.No. 673 of 2013 () APPENDIX PETITIONER(S) ANNEXURES : ANNEXURE A1 : COPY OF THE FINAL REPORT. ANNEXURE A2 : COPY OF THE AGREEMENT. RESPONDENT(S) ANNEXURES : / TRUE COPY / NS P.A TO JUDGE T.R. RAMACHANDRAN NAIR, J.

----- CrI. M.C. No.673 OF
201.----- Dated this the 30th day of January, 2013.

ORDER

The prayer in the CrI.M.C is to quash the proceedings in C.C.No.53/2012 on the file of the Judicial First Class Magistrate Court, Kasaragod. Annexure A1 is a copy of the Final Report.

2. The petitioner and the 1st respondent are husband and wife. It is submitted by the learned counsel for the petitioner that the disputes between the parties have been settled out of court and the parties are not interested in continuing the case. They have executed an agreement as per Annexure A2 stating that they are living together after the settlement of the disputes. Learned counsel for the 1st respondent also submitted that no complaints are there for the 1st respondent wife and the parties are living together.

3. In the agreement Annexure A2, it is stated that the party Nos.1 and 2 are living together along with their child happily in view of the settlement of their disputes and the 1st CrI.M.C.No.673/2013 2 respondent has no objection in quashing the proceedings.

4. In the light of the settlement between the parties, I am of the view that there will not be any useful purpose in proceeding with the criminal case. The CrI.M.C is allowed and the proceedings in C.C.No.53/2012 on the file of the Judicial First Class Magistrate Court, Kasaragod will stand quashed. T.R. RAMACHANDRAN NAIR JUDGE smp