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Robins vs Shaibin

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SooperKanoon Citation : sooperkanoon.com/1313667

Court : Kerala

Decided On : May-27-2024

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : Crl.MC/2169/2024

Appellant : Robins

Respondent : Shaibin

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN MONDAY, THE 27TH DAY OF MAY 2024 / 6TH JYAISHTA, 1946 CRL.MC NO. 2169 OF 2024 CRIME NO.58/2024 OF KODENCHERY POLICE STATION, KOZHIKODE PETITIONER(S)/1ST ACCUSED: ROBINS AGED 24 YEARS S/O SEBASTIAN , KOLLAMPARAMBIL HOUSE, PULIKKAYAM, KOZHIKODE, PIN - 673601 BY ADV SUNNY MATHEW RESPONDENT(S)/COMPLAINANTS & STATE:

1 SHAIBIN AGED 27 YEARS S/O WILSON, UNNUKALLEL HOUSE, VATTACHUVAD, CHEMBUKADAVE, KODENCHERY, KOZHIKODE PIN-, PIN - 673580 2 SOOSY AGED 55 YEARS W/O WILSON,

UNNUKALLEL HOUSE, VATTACHUVAD, CHEMBUKADAVE, KODENCHERY, KOZHIKODE-, PIN - 673580 3 THE STATE OF KERALA THROUGH THE SUB INSPECTOR OF POLICE, KODENCCHERRY POLICE STATION , REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN - 680203

BY ADV. M.P. PRASANTH, PUBLIC PROSECUTOR THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 27.05.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 27th day of May, 2024 This Criminal Miscellaneous Case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash all further proceedings pursuant to Annexure A1 FIR in Crime No.58/2024 of Kodencherry Police Station.

2. Heard the learned counsel for the petitioner, the learned counsel appearing for the defacto complainant and the learned Public Prosecutor.

3. In this matter, prosecution alleges commission of offences punishable under Sections 323, 324 read with 34 of the I.P.C.

4. It is submitted that the matter has been amicably settled and the defacto complainant and the injured filed affidavits in this regard. They stated in their affidavit 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 defacto complainant and the injured to that effect have been recorded.

6. Since the matter has been amicably settled

between the parties, there is no reason to disallow the prayer for quashment so as to retain them in hazards of litigation. Therefore, in the

interest of justice, I am inclined to allow this petition. In the result, this Criminal Miscellaneous Case stands allowed. Annexure A1 FIR in Crime No.58/2024 of Kodencherry Police Station and the proceedings thereof stand quashed. Sd/- A. BADHARUDEEN JUDGE

NB/27-5 APPENDIX OF CRL.MC 2169/2024 PETITIONER ANNEXURES ANNEXURE-A 1 TRUE COPY OF THE FIRST INFORMATION REPORT IN CRIME NO. 58/2024 DATED 04.02.2024 ANNEXURE-A 2 TRUE COPY OF THE AFFIDAVIT SWORN TO BY THE 1ST ANNEXURE -A3 TRUE COPY OF THE AFFIDAVIT SWORN TO BY THE 2ND TRUE COPY P.A. TO JUDGE

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