

Arun vs Shahna,

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Court : Kerala Orders

Decided On : Apr-01-2024

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : Crl.MC/10640/2023

Appellant : ARUN

Respondent : Shahna,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
MONDAY, THE 1ST DAY OF APRIL 2024/12TH CHAITHRA, 1946
CRIME NO.231/2023 OF KAIPAMANGALAM POLICE STATION,
THRISSUR CC NO.685 OF 2023 OF JUDICIAL MAGISTRATE OF
FIRST CLASS, KODUNGALLUR PETITIONER/ACCUSED: ARUN
AGED 29 YEARS S/O. ANANDAN, THURUTHY HOUSE, PADIYOOR
DESAM, PADIYOOR, THRISSUR, PIN - 680685 BY ADV GEORGE
SEBASTIAN RESPONDENTS/DE FACTO COMPLAINANT AND
STATE: 1 SHAHNA, AGED 24 YEARS D/O. SHAJI, PUTHUVEETIL
(PUTHIYAVEETIL) HOUSE, KUOLIMUTTOM P.O., KUOLIMUTTOM
DESOM, KUOLIMUTTOM VILLAGE, THRISSUR, PIN - 680691 2

STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM., PIN - 682031 SRI.RENJIT
GEORGE, SR PP THIS CRIMINAL MISC. CASE HAVING COME UP
FOR ADMISSION ON 01.04.2024, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING:

ORDER

Dated this the 1st day of April, 2024 This criminal miscellaneous case has been filed under

Section 482 of the Code of Criminal Procedure, 1973, to quash Annexure A Final Report and all further proceedings against the petitioner in C.C.No.685/2023 on the files of the Judicial First Class Magistrate Court, Kodungallur, arose out of crime No.231/2023 of Kaipamangalam police station. Petitioner herein is the sole accused in the above case.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. In this matter, offences punishable under Sections 323 and 498A of IPC are alleged to have been committed by the accused as per the final report and the complainant is none other than the wife of the accused.

4. An affidavit sworn by the complainant has been placed stating that the matter has been settled in between them and she has no grievance in the matter of quashing the proceedings.

5. Since the matter has been settled, there is no

reason to disallow the prayer for quashment. 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 petition stands allowed. Annexure A Final Report and all further proceedings against the petitioner in C.C.No.685/2023 on the files of the Judicial First Class Magistrate Court, Kodungallur, arose out of crime No.231/2023 of Kaipamangalam police station, stand quashed. Sd/- A. BADHARUDEEN JUDGE

nkr APPENDIX OF CRL.MC 10640/2023 PETITIONER ANNEXURES Annexure A
CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO. 231/2021 OF
KAIPAMANGALAM POLICE STATION, NOW PENDING AS C.C NO. 685/2023
BEFORE THE JFCM COURT KODUNGALLOOR, THRISSUR Annexure B
ORIGINAL AFFIDAVIT SWORN TO BY THE 1ST RESPONDENT DATED
05.12.2023 RESPONDENTS' ANNEXURES : NIL

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