

Sourav vs State of Kerala

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Court : Kerala

Decided On : Apr-29-2022

Judge : Honourable Mr.Justice Basant Balaji

Appeal No. : Crl.MC/414/2022

Appellant : Sourav

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE BASANT BALAJI
FRIDAY, THE 29TH DAY OF APRIL 2022 / 9TH VAISAKHA, 1944
CRL.MC NO. 414 OF 2022 AGAINST THE ORDER/JUDGMENT IN CC
921/2015 OF JUDICIAL MAGISTRATE OF FIRST CLASS -II,ATTINGAL
PETITIONER/S:

1 SOURAV AGED 41 YEARS S/O. JAGANADHAN, KUNNATHU
VEEDU, CHANGAYILKONAM, MADAVOOR VILLAGE, 2 SREEJESH
AGED 29 YEARS S/O. THULASEEDHARAN PILLAI, KONATH PUTHEN
VEEDU, CHANGAYILKONAM, MADAVOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT - 695602. 3 JAYACHANDRAN

S/O. SADANANDAN, CHARUVILA PUTHEN VEETTIL,
CHANGAYILKONAM, MADAVOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT - 695602. 4 RAJESH S/O.
SHANMUGHAN, RADHABHAVAN, CHANGAYILKONAM, MADAVOOR
VILLAGE, 5 SURESH, AGED 46 YEARS S/O. SHANMUGHAN,
RADHABHAVAN, CHANGAYILKONAM, MADAVOOR VILLAGE, BY
ADVS. K.SIJU ANJANA KANNATH T.S.SREEKUTTY

RESPONDENT/S:

1 STATE OF KERALA REPRESENTED BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM - 682031. 2
THE STATION HOUSE OFFICER PALLICKAL POLICE STATION,
THIRUVANANTHAPURAM DISTRICT - 670702. 3 NIJAF S/O.
NUJUMUDEEN, CHARUVILA PUTHEN VEEDU, PULIYOORKONAM,
MADAVOOR VILLAGE, THIRUVANANTHAPURAM DISTRICT - 695602.
4 ANWAR AGED 31 YEARS KOOVAKUZHI KUNNIL VEEDU,
PULIYOORKONAM, MADAVOOR VILLAGE, BY ADV A.MUHAMMED
RAFFI

OTHER PRESENT: SRI. NOUSHAD K.A-SR.PP THIS CRIMINAL MISC.
CASE HAVING COME UP FOR ADMISSION ON 29.04.2022, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

The petitioners are accused in Crime No.320/2015 of Pallickal Police station registered offences punishable under sections 143, 147, 341, 323, 294(b) r/w 149 of IPC.

2. Heard.

3. It has been submitted by the learned counsel for the

parties and the learned Public Prosecutor that the matter has been settled between the parties. The respondents 3 and 4, who are de- facto complainants,

filed affidavit stating that the matter has been settled between the parties and hence, they have no further grievance against the petitioners. Since the matter has been settled between the parties, quashing the said offence would secure the ends of justice. For the said reason, I am inclined to quash FIR and final report in Crime No.320/2015 of Pallickal Police station and all further proceedings in C.C.No.921/2015 of Judicial First Class Magistrate Court-II, Attingal, Thiruvananthapuram, in exercise of the inherent power under Section 482 Cr.P.C., to meet the ends of justice and accordingly, I order so. In the result, this CrI.M.C. stands allowed. Sd/- BASANT BALAJI, JUDGE rps/ APPENDIX OF CRL.MC 414/2022

PETITIONER ANNEXURES Annexure 1 THE CERTIFIED COPY OF FIR WITH FIS IN CRIME NO. 320/2015 OF PALLICKAL POLICE STATION DATED 17.04.2015. Annexure 2 THE CERTIFIED COPY OF FINAL REPORT IN CRIME NO. 320/2015 OF PALLICKAL POLICE STATION DATED 21.04.2015. Annexure 3 THE AFFIDAVIT SWORN BY THE 3RD RESPONDENT DATED 15.01.2022. Annexure 4 THE AFFIDAVIT SWORN BY THE 4TH RESPONDENT DATED 15.01.2022 COMPROMISE DATED 25.09.2021.

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