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Sunil vs State of Kerala,

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SooperKanoon Citation : sooperkanoon.com/1593627

Court : Kerala

Decided On : Jan-29-2021

Judge : Honourable Mrs. Justice Shircy V.

Appeal No. : Crl.MC/187/2021

Appellant : SUNIL

Respondent : State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SHIRCY V. FRIDAY, THE 29TH DAY OF JANUARY 2021 / 9TH MAGHA, 1942 Crl.MC.No.187 OF 2021(C) CRIME NO.1317/2020 OF Piravam Police Station, Ernakulam PETITIONER/ACCUSED NO.1: SUNIL, AGED 42 YEARS S/O.SOMAN, KANNACKAPARAMBIL HOUSE, KOCHERITHAZHAM NAMAKUZHY P.O., MULAKKULAM, PIRAVOM-686 664. BY ADV. SRI.DHEERAJ KRISHNAN PEROT RESPONDENTS/DEFACTO COMPLAINANT: 1 STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-682 031. 2 LISSY JOY, AGED 53 YEARS W/O.JOY MATHEW, MUNDACKATHADATHIL HOUSE,

KOCHERITHAZHAM, MULAKKULAM NORTH, PIRAVOM, ERNAKULAM DISTRICT-686 664. R2 BY ADV. JOHNSON VARGHESE R2 BY ADV. SMT.CHITRA JOHNSON OTHER PRESENT: DHANIL.M.R - P.P THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 29.01.2021, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 29th day of January 2021 Petition under Section 482 of the Code of Criminal Procedure.

2. The petitioner is the accused in Crime No. 1317 of 2020 of Piravom Police Station registered for the offences punishable under Sections 294(b), 341, 323 and 354 of Indian Penal Code.

3. It is submitted by the learned counsel for the petitioner that due to the intervention of well- wishers, the parties have resolved their entire disputes

among themselves and as such there is n

No.1317 of 2020 of Piravom Police Station.

4. Learned counsel appearing for the 2nd respondent/defacto complainant has submitted that she has

absolutely no grievance or complaints against the petitioner. Annexure A2 is the affidavit sworn to by her in support of the submission of the petitioner. The affidavit further indicates she has no intention to pursue the matter further.

5. The learned Public Prosecutor has reported that

the prosecution has no serious objection in al

be served in proceeding with the case.

6. On hearing the submissions of all concerned, and on perusal of the records as well on consideration of

the special facts and circumstances involved in

petitioner. Moreover, no public interest is involved in the case and there is no legal impediment in granting the prayer as sought for by the petitioner. Therefore, for the purpose of securing the ends of justice, this Crl.M.C. is only to be allowed. For the foregoing reasons, Annexure A1 FIR and all further proceedings in Crime No.1317 of 2020 of Piravom Police Station will stand quashed as prayed for. Sd/- SHIRCY V. JUDGE sb APPENDIX OF Crl.MC 187/2021 PETITIONER'S/S EXHIBITS: ANNEXURE A1 TRUE COPY OF THE FIRST INFORMATION REPORT IN CRIME NO.1317 OF 2020 OF PIRAVOM POLICE STATION ON THE FILES OF JUDICIAL FIRST CLASS MAGISTRATE PIRAVOM, ERNAKULAM. ANNEXURE A2 AN AFFIDAVIT SWORN BY THE SECOND RESPONDENT DATED 09.01.2020.

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