

Arun Kumar @ Arun vs State of Kerala

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Court : Kerala

Decided On : Jul-09-2020

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : CrI.MC/2944/2020

Appellant : Arun Kumar @ Arun

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN THURSDAY, THE 09TH DAY OF JULY 2020 / 18TH ASHADHA, 1942 CrI.MC.No.2944 OF 2020(G) CRIME NO.1320/2020 OF Aranmula Police Station , Pathanamthitta PETITIONER/ACCUSED 1&2: 1 ARUN KUMAR @ ARUN, AGED 39 YEARS S/O.MOHANAN PILLAI, MELETHARAYIL, KADAMMANITTA P.O., 2 RIJIN MATHEW @ RIJIN, AGED 34 YEARS S/O.V.M.MATHAI, VENGAL HOUSE, KADAMMANITTA P.O., BY ADV. SRI.N.ASHOK KUMAR RESPONDENT/STATE /DEFACTO COMPLAINANT: 1 STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. 2 JIBU K.SAMUEL AGED 30 YEARS, S/O.SAMUEL K.G., KOTTARETH EDAPURAYIL, 3 JOBY K.SAMUEL AGED 35 YEARS, S/O.SAMUEL

K.G., KOTTARETH EDAPURAYIL, R2-3 BY ADV. JEEMON
P.ABRAHAM

OTHER PRESENT: SR.PP. C.S.HRITHWIK THIS CRIMINAL MISC. CASE
HAVING COME UP FOR ADMISSION ON 09.07.2020, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING: CrI.MC.No.2944 OF 2020(G) ..2..

ORDER

Dated this the 9th day of July 2020 The petitioners are the accused in Crime
No.1320/2020 of Aranmula Police Station, registered for offences under Section
341, 294(b), 323, 427 r/w 34 of the Indian Penal Code.

2. Respondents 2 and 3 are the defacto

complainants. The learned counsel appearing for respondents 2 and 3 submits
that the dispute, which led to filing of the complaint, has been resolved amicably
and an affidavit to that effect has already filed.

3. Heard the learned Public Prosecutor also, who on instructions submits that the
petitioners have no criminal antecedents. CrI.MC.No.2944 OF 2020(G) ..3..

4. Having considered the gravity of the offences

alleged, the nature of the wound inflicted and having perused the affidavit
filed by respondents 2 and 3, the contents of which is submitted to be
true and voluntary, I am satisfied that the matter has been amicably
settled and that no public interest is involved in this matter. Hence, there
is no impediment in granting the relief sought. In the result, this CrI.M.C.
Is allowed. The proceedings in Crime No.1320/2020 of Aranmula Police
Station is quashed.

Sd/- V.G.ARUN SB/09/07/2020 JUDGE CrI.MC.No.2944 OF 2020(G) ..4..

APPENDIX PETITIONER'S/S EXHIBITS: ANNEXURE I A CERTIFIED COPY OF THE FIRST INFORMATION REPORT IN CRIME NO.1320/2020 OF ARANMULA POLICE STATION ALONG WITH FIRST INFORMATION STATEMENT. ANNEXURE II A TRUE COPY OF THE COMPROMISE DATED AND 2ND RESPONDENT. ANNEXURE III THE AFFIDAVIT OF THE 2ND RESPONDENT ANNEXURE I F.I.R. DATED 12/06/2020. ANNEXURE IV THE AFFIDAVIT OF THE 3RD RESPONDENT ANNEXURE I F.I.R. DATED 17/06/2020. // true copy // P.A to Judge

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