

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Crl.MC.No. 7420 of 2014 ()

**AGAINST CC 581/2014 BEFORE JUDICIAL FIRST CLASS MAGISTRATE
COURT, VADAKARA
CRIME NO. 1618/2013 OF VATAGKARA POLICE STATION , KOZHIKODE**

PETITIONERS/ACCUSED NOS.1 AND 2:

- 1. IRSHAD IBRAHIM P.K, AGED 20 YEARS
S/O.IBRAHIM, P.K.HOUSE (THAZHE PUTHIYOTTIL)
KURIKKILAD, VATAKARA TALUK.**
- 2. SIRAJ.C.K., AGED 20 YEARS
DARUL FARHA HOUSE, (MANKOYILOTH), KADALUR.P.O.
KOYILANDY TALUK.**

BY ADV. SRI.ZUBAIR PULIKOOL

RESPONDENTS/COMPLAINANTS:

- 1. MOHAMMED SHAZIN, AGED 20 YEARS
S/O.MUHAMMAD, KIZHAKKE RAYAROTH HOUSE, KATAMERI.P.O.
VILLIAPPALLY, VATAKARA TALUK. 673 542.**
- 2. NAJEEB RAHMAN, AGED 20 YEARS,
S/O.MUHAMMAD, KANIYANKANDY HOUSE, P.O.AYANCHERI
VILLIAPALLY, VATAKARA TALUK. 673 542.**
- 3. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA. 682 031.**

**R1,2 BY ADV. SMT.P.A.ANEESHA
R BY PUBLIC PROSECUTOR, MR.C.K.JAYAKUMAR**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
30-12-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 7420 of 2014 ()

APPENDIX

PETITIONERS' EXHIBITS

**ANNEXURE I- TRUE COPY OF THE FINAL REPORT IN CRIME NO.1618/13
 VATAKARA POLICE STATION.**

**ANNEXURE II- ORIGINAL OF THE SWORN AFFIDAVIT OF THE 1ST
 RESPONDENT.**

**ANNEXURE III- ORIGINAL OF THE SWORN AFFIDAVIT OF 2ND
 RESPONDENT.**

RESPONDENT(S)' EXHIBITS NIL

//TRUE COPY//

PA TO JUDGE

P.BHAVADASAN, J.

Crl.M.C. No. 7420 of 2014

Dated this the 30th day of December, 2014

O R D E R

Petitioners are accused Nos. 1 and 2 in Crime No. 1618/2013 of Vatakara Police Station who are alleged to have committed offences punishable under Sections 341, 323, 324 read with Section 34 of IPC.

2. After investigation, final report was laid and cognizance of the offence was taken as C.C.No. 581/2014 by the Judicial First Class Magistrate Court, Vatakara.

3. Petitioners now point out that petitioners and the defacto complainant have amicably settled all the disputes between them and no further grievance for the defacto complainant remains to be redressed. In support of their submission, they rely on the affidavits said to have been filed by the defacto complainant and the injured which are produced and marked as Annexures II and III.

4. The learned counsel appearing for the defacto complainant and also the injured who are arrayed as respondents 1 and 2 have accepted the affidavit and admit that an affidavit has been filed by them and have accepted the statements made mention of therein.

5. In the light of the fact that no social or public issues as such are involved in the matter and it is purely a personal matter between the parties and also that the defacto complainant and the injured do not wish to prosecute the matter further, it is felt that continuance of proceedings will be only an exercise in futility.

In the result, this petition is allowed and all further proceedings in C.C.No. 581/2014 on the file of Judicial First Class Magistrate Court, Vatakara including the registration of Crime No. 1618/2013 of Vatakara Police station shall stand quashed.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge