

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

Crl.MC.No. 316 of 2015

CRIME NO. 1022/2013 OF KAREELAKULANGARA POLICE STATION, ALAPPUZHA
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PETITIONER(S)/ACCUSED:

1. SHAFEEQ, AGED 32,
S/O.SHAMSUDDIN, SHAFEEQ MANZIL, MUTTAM,
CHEPPADU MAVELIKKARA, ALAPPUZHA DISTRICT.
2. AYSHA BEEVI,
W/O.SHAMSUDDIN, SHAFEEQ MANZIL, MUTTAM,
CHEPPADU MAVELIKKARA, ALAPPUZHA DISTRICT.

**BY ADVS.SRI.C.M.NAZAR
SRI.MANSOOR.B.H.**

RESPONDENT(S)/COMPLAINANT/STATE & DEFACTO COMPLAINANT/INJURED:

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING STATION HOUSE OFFICER,
KAREELAKULANGARA POLICE STATION, ALAPPUZHA DISTRICT.
2. SAJEENA, AGED 24,
S/O.SALAHUDDIN, PUNCHAVELUMBEL THEKKETHARAYIL,
KRISHNAPURAM VILLAGE, MAVELIKKARA, ALAPPUZHA DISTRICT.

**R1 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS
R2 BY ADV. SRI. S. SANIL**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
06-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Crl.MC.No. 316 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A : CERTIFIED COPY OF FIR IN CRIME NO.1022/2013 OF
KAREELALUKANGARA POLICE STATION.**

**ANNEXURE B : A TRUE COPY OF THE COMPROMISE MADE BETWEEN THE DEFACTO
COMPLAINANT AND THE ACCUSED DATED 06-08-2014 BEFORE THE
KERALA LEGAL SERVICES AUTHORITY/TALUK LEGAL SERVICES
COMMITTEE, KARTHIKAPPALLY.**

**ANNEXURE C: A TRUE COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT
DATED 06-08-2014.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

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CRL.M.C. No.316 of 2015

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Dated this the 21st day of January, 2015

ORDER

Petitioners are accused in Crime No.1022 of 2013 of the Kareelakulangara Police Station registered for the offences punishable under Section 498A read with Section 34 of the Indian Penal Code.

2. Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-A First Information Report and all further proceedings in Crime No.1022 of 2013 of the Kareelakulangara Police Station, quashed.

3. The allegation against the petitioners is that they have tortured and harassed the defacto complainant, who is the wife of the 1st petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding

more dowry.

4. Heard learned counsel for the petitioners, the learned counsel for the defacto complainant, who is the 2nd respondent herein, and the learned Public Prosecutor.

5. According to the petitioners, all the matters in dispute between the petitioners and the defacto complainant have been amicably settled and presently the defacto complainant has no complaints against the petitioners and, therefore, the proceedings against the petitioners may be quashed.

6. The defacto complainant, who is the 2nd respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioners have been amicably settled and, therefore, she has no complaints against the petitioners, and, hence, all further proceedings in the matter referred to above can be quashed. She has entered appearance through her counsel. The learned counsel for the defacto complainant also endorses the fact

that the affidavit has been sworn in by the defacto complainant on her own volition.

7. When all the matrimonial disputes have been settled between the parties and as the defacto complainant has no complaints against the petitioners, it is only just and expedient in the interest of justice to quash the proceedings referred to above.

In the result, this Crl.M.C. is allowed and Annexure-A First Information Report and all further proceedings in Crime No.1022 of 2013 of the Kareelakulangara Police Station, are hereby quashed.

Sd/-
B. KEMAL PASHA
JUDGE

DSV/22/1/15

// True Copy //

P.A. To Judge