

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

Crl.MC.No. 378 of 2015

CRIME NO. 76/2011 OF CHENGAMANAD POLICE STATION, ERNAKULAM
.....

PETITIONER(S):

1. RAGESH KUMAR, AGED 36,
S/O.RAVEENDRAN, PALLIPURAM HOUSE, KUUTTIPPUZHA VILLAGE,
ADUVASSERY KARA, ALUVA TALUK, PIN - 683 101.
2. JYOTHISH KUMAR, AGED 42,
S/O.HARIDAS, VENATT HOUSE, KUNNUKARA VILLAGE,
KUTTIPUZHA - 683 101.
3. DEEPAK, AGED 27,
S/O.ASHOKAN, AKATHOOT HOUSE, KUNNUKARA VILLAGE,
KUTTIPUZHA - 683 101.

BY ADV. SMT.T.S.MAYA (THIYADIL)

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, (THE SUB INSPECTOR OF POLICE,
PANANGAD POLICE STATION), PIN - 682 031.
2. JAYALAKSHMI, AGED 31 YEARS,
D/O.KRISHNAN, PADINJETTATHU HOUSE, PERUVARAM KARA,
KOTTUVALLY VILLAGE, N.PARUR TALUK, PIN - 683 513.

R1 BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS
R2 BY ADV. SMT.K.M.RASHMI (PARAVOOR)

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
02-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

msv/

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE 1: CERTIFIED COPY OF THE FIR 76/2011 OF CHENGAMANAD POLICE
STATION PENDING BEFORE JFCM I COURT AT ALUVA AS 1029/2011.**

**ANNEXURE 2: COPY OF THE COMPROMISE ENTERED BETWEEN THE
1ST PETITIONER AND 2ND RESPONDENT.**

RESPONDENT(S)' ANNEXURES:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

.....
CRL. M.C. No.378 of 2015

.....
Dated this the 2nd day of February, 2015

ORDER

Petitioners are A1 to A3 in Crime No.76/11 of the Chengamanadu Police Station, registered for the offence punishable under Sections 498A, 509 and 334 of the Indian Penal Code.

2. Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting all further proceedings in Annexure-1 FIR in Crime No.76/11 of the Chengamanad Police Station, pending before the Judicial First Class Magistrate's Court, Aluva as C.C.1029/2011, 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.

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

4. 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.

5. 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.

6. 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-1 FIR in Crime No.76/11 of the Chengamanad Police Station, and all further proceedings in C.C.1029/2011 pending before the Judicial First Class Magistrate's Court, Aluva on it, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge