

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Crl.MC.No. 725 of 2015

**CC 4033/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT, CHITTUR
CRIME NO. 956/2013 OF KOLLENGODE POLICE STATION , PALAKKAD**

PETITIONER(S)/ACCUSED 1 TO 4:

- 1. SAID IBRAHIM @ PRINCE, AGED 39 YEARS
S/O.DHANAVULLA, KURINJI NAGAR, 21/18
DARAPURAM ROAD, UDUMALPETTA.**
- 2. SHAHUL HAMEED @ BABU, AGED 42 YEARS
S/O.DHANAVULLA, KURINJI NAGAR, 21/18
DARAPURAM ROAD, UDUMALPETTA.**
- 3. RAJA MUHAMMED, AGED 35 YEARS
S/O.DHANAVULLA, KURINJI NAGAR, 21/18
DARAPURAM ROAD, UDUMALPETTA.**
- 4. HILMUNNISA, AGED 62 YEARS
W/O.DHANAVULLA, KURINJI NAGAR, 21/18
DARAPURAM ROAD, UDUMALPETTA**

**BY ADVS.SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN**

RESPONDENT(S)/COMPLAINANTS:

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE
KOLLENGODE POLICE STATION
PALAKKAD DISTRICT-678 506.**
- 3. JISHA BEEGUM, AGED 35 YEARS,
D/O.KAREEM, W/O.SADI IBRAHIM @ PRINCE, VELLANTHARAYIL
KOLLENGODE, CHITTER TALUK, NOW RESIDING AT DHANAVULLA
KURINJI NAGAR, 21/18, DARAPURAM ROAD
UDUMALPETTA-642 805.**

R1 & 2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 03-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 725 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES

ANNEXURE-1. COPY OF THE FIR AND FINAL REPORT

ANNEXURE-II. COPY OF THE AFFIDAVIT DATED 8/1/2015.

RESPONDENT(S)' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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Crl.M.C. No. 725 of 2015

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Dated this the 3rd day of March, 2015

ORDER

Petitioners are accused in Crime No.956 of 2013 of the Kollengode Police Station registered for the offence 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-1 Final Report in Crime No.956 of 2013 of the Kollengode Police Station and all further proceedings based on it in C.C.No.4033 of 2013 pending before the Judicial First Class Magistrate's Court, Chittur, 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 3rd 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 3rd 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. Through a settlement, the 1st petitioner and the 3rd respondent are living together as husband and wife and are leading a peaceful married life. 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 Final Report in Crime No.956 of 2013 of the Kollengode Police Station and all further proceedings based on it in C.C.No.4033 of 2013 pending before the Judicial First Class Magistrate's Court, Chittur, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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