

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

Cr1.MC.No. 823 of 2015 ()

CRIME NO. 1518/2014 OF VADAKKEKARA POLICE STATION , ERNAKULAM

PETITIONER/ACCUSED:

SHANITA ANTI JOSE, AGED 27 YEARS
D/O.THANKAMMA, KALLUNGAL HOUSE, GOTHURUTH.P.O.
NORTH PARAVUR, ERNAKULAM DISTRICT.

BY ADVS.SRI.K.NANDAKUMAR
SRI.SREEKANTH S.NAIR

RESPONDENT/STATE AND COMPLAINANT:

1. THE STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE
VADAKKEKARA POLICE STATION
THROUGH GOVERNMENT PLEADER, HIGH COURT OF KERALA
ERNAKULAM-682 031.

2. ANTI JOSE, AGED 36 YEARS
S/O.JOSEPH, MANDAPATH HOUSE, NEENDOOR
VADAKKEKARA.P.O., NORTH PARAVUR
ERNAKULAM DISTRICT-683 522.

BY PUBLIC PROSECUTOR SMT. P. MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
10-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 823 of 2015 ()

APPENDIX

PETITIONER(S) 'ANNEXURES:

ANNEXURE A1- TRUE COPY OF FIR NO.1518/14 DATED 25.12.14 OF
VADAKKEKARA POLICE STATION ALONG WITH COMPLAINT.

ANNEXURE A2- TRUE COPY OF THE AGREEMENT DATED 20.01.15 ENTERED
BETWEEN PETITIONER AND THE 2ND RESPONDENT.

RESPONDENT(S) ' ANNEXURES: NIL

//TRUE COPY//

P.A. TO JUDGE

smv

P. UBAID,J.

Crl.M.C No.823 of 2015

Dated this the 10th day of February, 2015

O R D E R

The petitioner seeks orders quashing the F.I.R and further proceedings in Crime No.1518 of 2014 of Vadakkekara Police Station. Orders are sought on the ground of amicable settlement of the whole dispute between the accused and the de facto complainant out of court. The parties have filed a joint statement that the whole dispute stands now amicably settled in the family. The parties have now reunited and are living together.

2. In so many decisions, the Hon'ble Supreme Court has held that even in cases involving non-compoundable offences, the High Court can quash the prosecution; be it at the crime stage or at the trial stage or even at the appellate or revision stage; if the parties have really settled the whole dispute, or if continuance of prosecution will not serve any purpose. Here, I find a real case of settlement between the parties and I also find that continuance of prosecution in such a situation will not serve any purpose other than wasting the precious time of the court, when the case ultimately comes before the court.

In the result, this petition is allowed. The F.I.R and further proceedings in Crime No.1518 of 2014 of Vadakkekara Police Station will stand quashed under Section 482 of the Code of Criminal Procedure.

Sd/-
P. UBAID, JUDGE

//true copy//

P.A. To Judge

smv