

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

Crl.MC.No. 1871 of 2015 ()

**CC.NO. 333/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, NILAMBUR
CRIME NO. 691/2013 OF EDAKKARA POLICE STATION , MALAPPURAM DISTRICT**

PETITIONER/ACCUSED:

**SALEEM, S/O.BAPPU, AGED 40 YEARS,
KURUKKAN KUNNATH HOUSE, KALASAGAR,
EDAKKARA P.O., MALAPPURAM DISTRICT.**

BY ADV. SRI.P.VENUGOPAL

RESPONDENTS/STATE & DEFACTO - COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. RAHEENA SINI, AGED 35 YEARS,
D/O.MARAKKAR, CHALIPARAMBAN HOUSE, EDAKKARA P.O.,
NILAMBUR VILLAGE, MALAPPURAM DISTRICT, PIN - 679 331.**

**R1 BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS
R2 BY ADV. SMT.T.J.MARIA GORETTI**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 01-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Crl.MC.No. 1871 of 2015 ()

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEX A: TRUE COPY OF THE FIR REGISTERED BY THE EDAKKARA POLICE IN
CRIME NO. 691/2013 OF EDAKKARA POLICE STATION.**

**ANNEX B: TRUE COPY OF THE FINAL REPORT SUBMITTED BY THE EDAKKARA
POLICE IN CRIME NO. 691/2013 OF NILAMBUR POLICE STATION.**

**ANNEX C: THE AFFIDAVIT EXECUTED BY THE SECOND RESPONDENT DATED
03/03/2015.**

RESPONDENT(S)' ANNEXURES: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B. KEMAL PASHA, J.

.....
Crl.M.C. No.1871 of 2015
.....

Dated this the 1st day of April, 2015

ORDER

~ ~ ~ ~ ~

This is a petition filed under Section 482 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.691/2013 of Edakkara Police Station registered for the offences punishable under Sections 498A and 406 of the Indian Penal Code.

3. Petitioner has come up with this petition under Section 482 Cr.P.C. for getting Annexure-A FIR and Annexure-B Final Report in Crime No.691/2013 of Edakkara Police Station as against the petitioner and all further

proceedings based on it in C.C.333/2014 pending before the Judicial First Class Magistrate's Court, Nilambur, quashed.

4. The allegation against the petitioner is that he has tortured and harassed the de facto complainant, who is his wife, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry, after misappropriating her entire gold ornaments and money.

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

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

7. The defacto complainant, who is the 2nd respondent herein, has filed an affidavit affirming that all the

matters in dispute between her and the petitioner have been amicably settled and, therefore, she has no complaints against the petitioner and, therefore, 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.

8. Through the settlement, the petitioner and the 2nd 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 petitioner, it is only just and expedient in the interest of justice to quash the proceedings referred to above.

In the result, this CrI.M.C. is allowed and Annexure-A FIR and Annexure-B Final Report in Crime No.691/2013 of Edakkara Police Station as against the petitioner and all

CrI.M.C.1871/2015

: 4 :

further proceedings based on it in C.C.333/2014 pending before the Judicial First Class Magistrate's Court, Nilambur are hereby quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/01/04

// True Copy //

PA to Judge