

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

Crl.MC.No.2026 of 2015

**CC NO.465/2014 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
THAMARASSERY.**

PETITIONERS/ACCUSED:

1. **MUHAMMED SHAFEEQ.K,AGED 25 YEARS,
S/O.MUHAMMED ASHARAF,KALLUPALAN VEEDU,
AMBALAPPARA,THIRUVAMBADY P.O,
KOZHIKODE DISTRICT - 673 603.**
2. **MUHAMMED ASHARAF,AGED 48 YEARS,
KALLUPALAM VEEDU,AMBALAPPARA,
KOZHIKODE DISTRICT.**
3. **SALEEMA,AGED 43 YEARS,W/O.MUHAMMED ASHARAF,
KALLUPALAM VEEDU,AMBALAPPARA,
KOZHIKODE DISTRICT.**

BY ADV.SRI.SHEJI P.ABRAHAM

RESPONDENTS/COMPLAINANT/STATE:

1. **JASEELA V.K,AGED 23 YEARS,D/O.MUHAMMED,
VATTIKUNNUMMAL HOUSE,EERPPER, A,
THACHAMPOIL P.O, HAMARASSERY,
KOZHIKODE DISTRICT-673101.**
2. **STATE OF KERALA,REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM-682031.**

R2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 30-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

Crl.MC.No.2026 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE A1-TRUE COPY OF THE FIR.

**ANNEXURE A1(a)-TRUE OCPY OF THE COMPLAINT FILED BY THE 1ST
RESPONDENT.**

**ANNEXURE A2-TRUE COPY OF THE AFFIDAVIT SIGNED BY THE FIRST
RESPONDENT AND THE COUNSEL FOR THE PETITONERS AND
THE RESPONDENT**

RESPONDENT'S ANNEXURES: **NIL**

//TRUE COPY//

P.S. TO JUDGE

pk

B. KEMAL PASHA, J.

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Crl.M.C. No.2026 of 2015
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Dated this the 30th day of March, 2015

ORDER

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

2. Petitioners are accused Nos.1 to 3 in Crime No.179/2014 of Thamarassery Police Station registered for the offences punishable under Sections 498A, 406, 420 and 354 of the Indian Penal Code.

3. Petitioners have come up with this petition for getting Annexure-A1 FIR in Crime No.179/2014 of Thamarassery Police Station as against the petitioners and all further proceedings based on it in C.C.465/2014 pending before the Judicial First Class Magistrate's Court-I, Thamarassery, quashed.

4. The allegation against the petitioners is that they have tortured and harassed the de facto complainant, who

is the wife of the 1<sup>st</sup> petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry.

5. Heard learned counsel for the petitioners and learned Public Prosecutor.

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

7. The de facto complainant, who is the 1<sup>st</sup> 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, therefore, all further proceedings in the matter referred to above can be quashed.

8. When all the matrimonial disputes have been settled between the parties and as the de facto 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-A1 FIR in Crime No.179/2014 of Thamarassery Police Station as against the petitioners and all further proceedings based on it in C.C.465/2014 pending before the Judicial First Class Magistrate's Court-I, Thamarassery are hereby quashed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/30/03

*// True Copy //*

*PA to Judge*