

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

Crl.MC.No. 2506 of 2015 ()

CRIME NO. 510/2014 OF PANNIANKARA POLICE STATION , KOZHIKODE

PETITIONER(S):

**ARUN RAMESH AGED 22 YEARS
S/O RAMESHAN, MATHJRANKOTTU HOUSE, KALLAI
KOZHIKODE-673003**

BY ADV. SRI.M.S.VINEETH

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA**
- 2. KRISHNA KUMAR
S/O RAMAKRISHNAN, "AMRITHA NIVAS", ODUKKATHIL PARAMB
P.O. THIRUVANNUR, KOZHIKODE DISTRICT PIN-673029**

**R2 BY ADV. SRI.V.T.MADHAVANUNNI
R1 BY PUBLIC PROSECUTOR SRI.JOBY JOSEPH**

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 12-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 2506 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

**ANNEXURE A1. CERTIFIED COPY OF THE FIR NO. 510/2014 OF THE PANNIYANKARA
POLICE STATION DATED 29.10.2014**

ANNEXURE A2.AFFIDAVIT OF THE SECON RESPONDENT DATED 19.03.2015

RESPONDENT(S)' EXHIBITS

NIL.

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P.S. to Judge

ALEXANDER THOMAS, J.

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Crl.M.C.No. 2506 of 2015

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Dated this the 14th day of May, 2015

O R D E R

The petitioner is the sole accused in Anx.-A1 Crime No. 510/2014 of Panniyankara Police Station, for offences registered under Secs.452, 323 and 326 of IPC. It is stated that disputes arose between the petitioner and the 2nd respondent-defacto complainant and the quarrels took place between them on account of the desire of the petitioner-accused to marry the sister of the defacto complainant. It is pointed out that the parties have now settled the disputes between them through the intervention of the mediators in the locality and Anx.-A2 is the affidavit sworn to by the 2nd respondent defacto complainant in that regard that he has no grievance against the petitioner accused and that the defacto complainant has no objection for quashment of the impugned criminal petitioner in Anx.-A1 Crime No. 510/2014. It is in the light of these aspects that this Crl.M.A. has been filed seeking quashment of the impugned criminal proceedings.

2. Heard Sri.M.S.Vineeth, learned counsel appearing for the petitioner, Sri.V.T.Madhavanunni, learned counsel appearing for the 2nd respondent defacto complainant and the learned Public Prosecutor appearing for the respondent–State.

3. Sri.V.T.Madhavanunni, learned counsel appearing for the 2nd respondent would submit that on account of the efforts of the respected persons of the locality, the bad relationship between the petitioner and the 2nd respondent on account of the aforementioned problems have been resolved and that the offences, arose out of the quarrels and disputes between the petitioner and the 2nd respondent, are personal in nature. The learned counsel for the petitioner and the learned counsel for the 2nd respondent would submit that any further continuance of the impugned criminal proceedings would only reopen the past wounds in the relationship between the parties and that it is in the interest of justice that the peace and harmony that has been attained between the parties should not be allowed to be deteriorated in any manner.

4. The learned Public Prosecutor would submit that the prayer of the petitioner may be considered in the light of the decisions of the Apex Court on the matter.

5. Having heard the Advocates appearing for the petitioner and the 2nd respondent as well as the Public Prosecutor and having regard to the principles laid down by the Apex Court in *Gian Singh v. State of Punjab and Anr.* reported in (2013) 1 SCC (Cri.) 160 = (2012) 10 SCC 303, this Court is of the considered the opinion that as the disputes between the parties have been settled amicably, as evident from Anx.-A2 affidavit, it is only in the interest of justice that the impugned criminal proceedings in Anx. A-1 are quashed. Accordingly, it is ordered in the interest of justice that the impugned criminal proceedings in Anx.-A1 and all further proceedings arising therefrom would stand quashed.

With these observations and directions, this Crl.M.C. stands finally disposed of.

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Sd/-
ALEXANDER THOMAS, JUDGE

P.S. to Judge