

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

Cr1.MC.No. 4939 of 2015 ()

CC 1138/2015 of JUDICIAL FIRST CLASS MAGISTRATE'S COURT,
KALAMASSERY (TEMPORARY) FORMERLY WHICH WAS C.C.NO.1047/2010 of
JUDICIAL FIRST CLASS MAGISTRATE'S COURT, NORTH PARAVUR.

CRIME NO. 723/2010 OF ELOOR POLICE STATION, ERNAKULAM

PETITIONER/SOLE ACCUSED:

MEHABUB, AGED 50 YEARS,
S/O.SHOUKATHALI, MATHAZHIKAM HOUSE, SOUTH PARAVUR,
KOTTAPPURAM VILLAGE, KOLLAM DISTRICT.

BY ADV. SMT.MINI GANGADHARAN

RESPONDENTS/STATE & COMPLAINANT:

1. THE STATE OF KERALA,
REPRESENTED BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

2. ABDUL SALAM, AGED 45 YEARS,
S/O.YOUSUF, MADAPPATTU HOUSE,
ELOOR KIZHAKKUMBHAGOM KARA, ELOOR VILLAGE
ERNAKULAM DISTRICT.

R1 BY PUBLIC PROSECUTOR SMT.MAYA
R2 BY ADV. SMT.LAYA SIMON

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON
13-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

DSV/27/10/15

Cr1.MC.No. 4939 of 2015 ()

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE-A1: COPY OF THE FIR IN CRIME NO.723/2010 OF ELOOR
POLICE STATION.

ANNEXURE-A2: COPY OF CHARGE SHEET IN C.C.NO.1138/2015
PENDING ON THE FILE OF THE JFMC, KALAMASSERY FORMERLY WHICH
WAS C.C.NO.1047/2010 OF JFMC, NORTH PARAVUR.

RESPONDENTS' ANNEXURES:

NIL

// True Copy //

P.A. To Judge

DSV/27/10/15

B. KEMAL PASHA, J.

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Crl.M.C. No.4939 of 2015 D
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Dated this the 13th day of October, 2015

ORDER

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Petitioner is the accused in CC No.1138/2015 of the Judicial First Class Magistrate's Court, Kalamassery, which has arisen from Crime No.723/2010 of Eloor Police Station for the offence punishable under Section 420 IPC. The amount involved in the matter is ₹13,500/-.

2. Presently, the petitioner and the de facto complainant have settled the matter amicably and the amount due to the de facto complainant, who is the 2nd respondent herein, was paid by the petitioner. The 2nd respondent has filed an affidavit stating that the matter has been amicably settled and he has no complaints against the petitioner. When the matter has been amicably settled between the parties, this Court is of the view that Annexure-A1 FIR, Annexure-A2 final report and all further

proceedings in CC No.1138/2015 of the Judicial First Class Magistrate's Court, Kalamassery, which has arisen from Crime No.723/2010 of Eloor Police Station, can be quashed.

In the result, this CrI.M.C. is allowed and Annexure-A1 FIR, Annexure-A2 final report and all further proceedings in CC No.1138/2015 of the Judicial First Class Magistrate's Court, Kalamassery, which has arisen from Crime No.723/2010 of Eloor Police Station, are quashed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/13/10

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PA to Judge