

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

CrI.MC.No. 5697 of 2015 ()

CRIME NO. 1008/2015 OF THALIPARAMBA POLICE STATION, KANNUR DISTRICT

PETITIONERS/ACCUSED NO.1 & 2 :

1. SAJITH K.V.,
AGED 42 YEARS, S/O KUNHIKRISHNAN (LATE)
"SREEKRIPA", KURUMATHUR
KURUMATHUR P.O., KANNUR DISTRICT.

2. SREEJITH K.V.,
AGED 46 YEARS, S/O KUNHIKRISHNAN (LATE),
"SREEVALSAM", KURUMATHUR
KURUMATHUR P.O., KANNUR DISTRICT.

BY ADVS.SRI.ZUBAIR PULIKOOL
SRI.P.S.BINU

RESPONDENTS/COMPLAINANT & STATE :

1. BINDU K.T.,
AGED 36 YEARS, D/O. BALAKRISHNAN NAMBIAR (LATE),
"GOKULAM", PANAN KAVU, PUZHATHI AMSOM
KOTTALI P.O., KANNUR DISTRICT, PIN-670 016.

2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.

R1 BY ADV. SMT.PA.ANEESHA
R2 BY PUBLIC PROSECUTOR SMT. V.H. JASMINE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 20-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

...2/-

Crl.MC.No. 5697 of 2015 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE I: COPY OF THE FIR IN CRIME NO.1008/15 OF THALIPARAMBA POLICE
STATION.**

ANNEXURE II: THE TRUE COPY OF THE AFFIDAVIT OF IST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.UBAID, J.

Crl.M.C No.5697 of 2015

Dated this the 20th day of August, 2015

O R D E R

The petitioners seek orders quashing the F.I.R and further proceedings in Crime No.1008 of 2015 of Thaliparamba Police Station, registered under Sections 341, 294(b), 323, 506(i) read with Section 34 of the Indian Penal Code on the complaint of one Bindu K.T. 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 de facto complainant is the 1st respondent in this proceeding brought under Section 482 of the Code of Criminal Procedure. She has filed affidavit to the effect that she has settled the whole dispute with the accused, and she has no grievance or complaint.

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 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 the 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.1008 of 2015 of Thaliparamba Police Station will stand quashed under Section 482 of the Code of Criminal Procedure.

rkj

Sd/-
P.UBAID
JUDGE

//TRUE COPY//

P.A. TO JUDGE