

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

Crl.MC.No. 7382 of 2015

CRIME NO. 2021/2015 OF KANNUR TOWN POLICE STATION, KANNUR

PETITIONER(S)/ACCUSED AND COMPLAINANT :-

- 1. SHAMSEENA K P, AGED 21 YEARS,
W/O.MUHAMMED SHEREEF, JAMEELA NIVAS,
MAKREI P.O., KANNUR DISTRICT.**
- 2. NAFIH K.C., S/O.RASIYA, KAIKKALAKANDI HOUSE,
CHEMMAYI, ANCHARAKKANDI, KANNUR.**

BY ADV. SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENT(S)/DEFACTO COMPLAINANT :-

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

R BY SRI.JUSTIN JACOB, PUBLIC PROSECUTOR

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 24-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Crl.MC.No. 7382 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES :-

**ANNEXURE - I : TRUE COPY OF THE FIRST INFORMATION REPORT IN CRIME
NO.2021/2015 OF KANNUR TOWN POLICE STATION.**

**ANNEXURE - II : TRUE COPY OF AFFIDAVIT OF 1ST PETITIONER (DEFACTO
COMPLAINANT).**

RESPONDENT(S)' ANNEXURES :- NIL

//TRUE COPY//

P.A. TO JUDGE

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P.UBAID, J.

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Crl.M.C.No.7382 of 2015
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Dated this the 24th day of November, 2015

ORDER

The defacto complainant and the accused in Crime No.2021 of 2015 of the Kannur Town Police Station brought this petition jointly for orders under Section 482 Cr.P.C. quashing the FIR and further proceedings in the said crime. They seek orders quashing the prosecution on the ground of amicable settlement of the whole dispute out of court. The first petitioner herein is the defacto complainant and the second petitioner is the accused. The complainant has also filed an affidavit in support of the application, to the effect that she has settled the whole dispute with the accused, and she has no grievance or complaint now. It is submitted that the present incident happened in connection with some other dispute, and that the complaint happened to be made on some misapprehension. Anyway, the parties have come to

terms amicably out of court, and the whole issue stands resolved forever. In such a situation, it is appropriate that the prosecution be quashed.

2. In so many decisions, the Hon'ble Supreme Court has held that even at the stage of investigation a crime can be quashed by the High Court, if the parties have come to terms amicably out of court. In such a situation, continuance of the prosecution will not serve any purpose other than wasting the precious time of the court.

In the result, this petition is allowed. The FIR and the further proceedings in Crime No.2021 of 2015 of the Kannur Town Police Station will stand quashed under Section 482 of the Code of Criminal Procedure.

Sd/-

**P.UBAID
JUDGE**

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//TRUE COPY//

P.A. TO JDUGE