

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

Crl.MC.No. 7030 of 2014 ()

CRIME NO. 929/2014 OF KONDOTTY POLICE STATION, MALAPPURAM DISTRICT

PETITIONER/ACCUSED :

**ABDUL HAMEED, AGED 47 YEARS
S/O.ABDULLA, VARANAD HOUSE, KONDOTTY AMSOM
KOLATHUR DESOM, MALANGADI P.O.,
MALAPPURAM DISTRICT.**

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS/COMPLAINANT & STATE :

**1. KHAIRUNNISSA PALLIPARAMBAN, AGED 37 YEARS
D/O.MUHAMMED, VARANAD HOUSE, KONDOTTY AMSOM
KOLATHUR DESOM, MALANGADI P.O.
MALAPPURAM DISTRICT-673638.**

**2. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682031.**

**R1 BY ADV. SRI.P.V.ANOOP
R2 BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 04-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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Crl.MC.No. 7030 of 2014 ()

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE A : TRUE COPY OF THE FIRST INFORMATION REPORT AND
STATEMENT DT.26-8-2014 IN CRIME NO.929/2014 OF KONDOTTY
POLICE STATION, MALAPPURAM.

ANNEXURE B : TRUE COPY OF THE AGREEMENT EXECUTED BY THE
PETITIONER AND IST RESPONDENT DT.15-11-2014.

ANNEXURE C : TRUE AFFIDAVIT FILED BY THE FIRST RESPONDENT
DT.14-11-2014.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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B.KEMAL PASHA, J.

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Crl.M.C. No. 7030 of 2014

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Dated this the 4th day of March, 2015

O R D E R

Petitioner is the accused in Crime No.929/14 of the Kondotty Police Station, Malappuram registered for the offences punishable under Sections 406, 324 and 498A read with Section 34 of the Indian Penal Code.

2. Petitioner has come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-A FIR in Crime No.929/14 of the Kondotty Police Station, Malappuram and all further proceedings against the petitioner in the said crime pending before the Judicial First Class Magistrate's Court, Malappuram, quashed.

3. The allegation against the petitioner is that he has tortured and harassed the defacto complainant, who is the wife of the petitioner, and treated her with cruelty within the meaning of Section 498A IPC, by demanding more dowry, after misappropriating her entire gold ornaments and money.

4. Heard learned counsel for the petitioner, the learned counsel for the defacto complainant, who is the 1st respondent herein, and the learned Public Prosecutor.

5. According to the petitioner, all the matters in dispute between the petitioner and the defacto complainant have been amicably settled and presently the defacto complainant has no complaints against the petitioner and, therefore, the proceedings against the petitioner may be quashed.

6. The defacto complainant, who is the 1st respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioner have been amicably settled and, therefore, she has no complaint against the petitioner, and, hence, all further proceedings in the matter referred to above can be quashed. She has entered appearance through her counsel. The learned counsel for the defacto complainant also endorses the fact that the affidavit has been sworn in by the defacto complainant on her own volition.

7. When all the matrimonial disputes have been settled

between the parties and as the defacto complainant has no complaints against the petitioner, 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-A FIR in Crime No.929/14 of the Kondotty Police Station, Malappuram and all further proceedings against the petitioner in the said crime pending before the Judicial First Class Magistrate's Court, Malappuram, are hereby quashed.

Sd/-
B.KEMAL PASHA, JUDGE

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