

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

CrI.MC.No. 7108 of 2014 ()

CC.NO. 1020/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, HOSDURG

PETITIONER/DEFACTO COMPLAINANT :

**FATHIMA, AGED 20 YEARS
W/O. RAHEEM, VENGAPARA
KODAKKAD VILLAGE P.O., KODAKKAD
KASARAGOD DISTRICT, PIN – 671 357.**

**BY ADVS.SRI.E.N.VISHNU NAMBOODIRI
SRI.P.P.NARAYANAN
SRI.S.P.SURESH KUMAR
SRI.N.N.ELAYATH**

RESPONDENTS/ACCUSED/STATE :

- 1. RAHEEM V., AGED 22 YEARS
S/O. SALAM M., OLAVARA, SOUTH TRIKARPUR VILLAGE
P.O. TRIKARIPUR, KASARAGOD DISTRICT, PIN – 671 310.**
- 2. SALAM M., AGED 55 YEARS
S/O. POKKAR, OLAVARA, SOUTH TRIKARPUR VILLAGE
P.O. TRIKARIPUR, KASARAGOD DISTRICT, PIN – 671 310.**
- 3. SHAREEFA V., AGED 44 YEARS
W/O. SALAM M., OLAVARA, SOUTH TRIKARPUR VILLAGE
P.O. TRIKARIPUR, KASARAGOD DISTRICT, PIN – 671 310.**
- 4. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
THROUGH SUB INSPECTOR OF POLICE
CHENDARA POLICE STATION, (VIA) KANHANGAD
KASARGOD DISTRICT.**

R4 BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 19-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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...2/-

Crl.MC.No. 7108 of 2014 ()

APPENDIX

PETITIONERS' ANNEXURES :

**ANNEXURE A1: CERTIFIED COPY OF THE FINAL REPORT FILED BY
RESPONDENT NO.4 REGARDING CRIME NO.446/2013 OF
CHANDERA POLICE STATION.**

**ANNEXURE A2: TRUE COPY OF THE AGREEMENT DATED 12.11.2014 EXECUTED
BETWEEN PETITIONER AND IST RESPONDENT.**

**ANNEXURE A3: TRUE COPY OF THE TALAQUE NAMA PREPARED BY IST
RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

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B.KEMAL PASHA, J.

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CRL. M.C. No.7108 of 2014
.....

Dated this the 19th day of January, 2015

ORDER

Petitioner is the defacto complainant in Crime No.446/13 of the Chandera Police Station registered for the offence punishable under Section 498A of the Indian Penal Code.

2. Petitioner has come up with this Crl.M.C. under Section 482 Cr.P.C. for getting C.C.No.1020/2014 pending before the Judicial First Class Magistrate Court-I, Hosdurg, quashed.

3. Heard. According to the petitioner, all the matters in dispute between the petitioner and respondents 1 to 3 have been amicably settled and presently the defacto complainant/petitioner has no complaints against respondents 1 to 3 and, therefore, the proceedings against

respondents 1 to 3 may be quashed.

4. A mutual agreement was executed before divorce between the petitioner and respondents 1 to 3 and all the matters in dispute between them have been amicably settled.

5. When all the matrimonial disputes have been settled between the parties and as the defacto complainant has no complaints against respondents 1 to 3, it is only just and expedient in the interest of justice to quash the proceedings referred to above.

In the result, this CrI.M.C. is allowed and all the proceedings in C.C.No.1020/2014 pending before the Judicial First Class Magistrate Court-I, Hosdurg, which has arisen from Crime No.446/13 of the Chandera Police Station, are hereby quashed.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge