IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

MONDAY, THE 07TH DAY OF DECEMBER 2020 / 16TH AGRAHAYANA, 1942

OP(CRL.).NO.331 OF 2018(Q)

MC 79/2018 DATED 30-05-2018 OF FAMILY COURT, ALAPPUZHA

PETITIONER/RESPONDENT:

SHAJI, AGED 41 YEARS, S/O. ABDUL RAHMAN,
FATHIMA MANZIL, LAYATHU PARAMBU (DARUL SALAAM),
CHATHANAD WARD,NORTH OF MATTANCHERRY BRIDGE
ALAPPUZHA DISTRICT.

BY ADVS.SRI.S.SHANAVAS KHAN, SMT.S.INDU

RESPONDENT/PETITIONER:

SAFINA R., AGED 36 YEARS,W/O. SHAJI,
THOPPIL VEEDU, AMBALAPPUZHA VILLAGE,
AMBALAPPUZHA PANCHAYAT, WARD-13, KAKKAZHAM,
ALAPPUZHA DISTRICT-688 001.

ADV. SRI.C.S.HEMALAL
ADV. SRI.R.MURALEEKRISHNAN

THIS OP (CRIMINAL) HAVING BEEN FINALLY HEARD ON 07.12.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ALEXANDER THOMAS, J.

O.P.(Crl.) No. 331 of 2018

Dated this the 7th day of December, 2020

J U D G M E N T

The prayers in the above Original Petition (Criminal) filed under Article 227 of the Constitution of India are as follows:

"

i. *Call for the records leading to Ext.P11 and set aside the same and*
ii. *Pass such other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."*

2. Sri.S.Shanavas Khan, learned counsel appearing for the petitioner would submit on the basis of instructions that, a not press memo dated 1.12.2020 has already been filed on behalf of the petitioner, and the case may be closed accordingly.

3. The not press memo dated 1.12.2020 filed on behalf of the petitioner, reads as follows:

> *"I am the counsel appearing for the petitioner in the above case. The petitioner in the above case has informed that as the entire matrimonial disputes between him and the respondent have been settled, he is no longer interested in pursuing the matter, and hence the above case may be dismissed as not pressed."*

Recording the abovesaid submission of the petitioner, the Original Petition (Criminal) will stand dismissed as not pressed.

Sd/-

ALEXANDER THOMAS,
JUDGE

MMG

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1 **TRUE COPY OF THE M.C.NO. 79/2018 FILED BY THE RESPONDENT BEFORE THE HON'BLE FAMILY COURT, ALAPPUZHA.**

EXHIBIT P2 **TRUE COPY OF THE M.P. NO. 129/2018 IN M.C. NO. 79/2018 FILED BEFORE THE HON'BLE FAMILY COURT, ALAPPUZHA.**

EXHIBIT P3 **TRUE COPY OF THE FIR IN CRIME NO. 1434/2014 OF ALAPPUZHA SOUTH POLICE STATION.**

EXHIBIT P4 **TRUE COPY OF THE CERTIFICATE OF MARRIAGE DATED 13/10/2014 ISSUED BY THE MARRIAGE OFFICER.**

EXHIBIT P5 **TRUE COPY OF THE CERTIFICATE ISSUED BY THE SECRETARY, MOHIYUDEEN MASJID ASSOCIATION, ALAPPUZHA DATED 02/04/2015.**

EXHIBIT P6 **TRUE COPY OF THE ORDER DATED 10/04/2015 IN I.A. NO. 463/2015 IN O.P. NO. 212/2015 OF THE HON'BLE FAMILY COURT, ALAPPUZHA.**

EXHIBIT P7 **TRUE COPY OF THE M.C.NO. 21/2015 FILED BEFORE JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KOCHI.**

EXHIBIT P8 **TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER AND OTHERS M.C. 21/2015.**

EXHIBIT P9 **TRUE COPY OF THE ORDER DATED 27/05/2015 IN M.C. NO. 21/2015 OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-II, KOCHI.**

EXHIBIT P10 **TRUE COPY OF THE FIR IN CRIME NO. 407/2015 OF HARIPAD POLICE STATION.**

EXHIBIT P11 **CERTIFIED COPY OF THE ORDER DATED 30/05/2018 IN CRL. M.P. NO. 129/2018 IN M.C. NO. 79/2018 IN CRL. M.P. NO. 129/2018 IN M.C. NO. 79/2018 OF THE HON'BLE FAMILY COURT, ALAPPUZHA.**