IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

MONDAY, THE 1ST DAY OF APRIL 2024 / 12TH CHAITHRA, 1946

CRL.MC NO. 1495 OF 2024

CRIME NO.1222/2019 OF Chavara Police Station, Kollam

SC NO.1019 OF 2020 OF ASSISTANT SESSIONS COURT, KARUNAGAPPALLY

PETITIONER/ ACCUSED :

SHANAVAS @NOORU
AGED 42 YEARS, NADEELA VEETTIL,
PUTHAN VEEDU, PORURKKARA MURIYIL,
PANMANA VILLAGE KARUNAGAPPALLY,
PIN – 691 583

BY ADV O.MINCY

RESPONDENT/ STATE/ COMPLAINANTS :

1 **STATE OF KERALA**
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM,
PIN - 682031

2 **EMMANUAL**
AGED 44 YEARS, KAMMAN THARAYIL VEETTIL,
POROORKKARA MURI, PANMANA VILLAGE,
KARUNAGAPPALLY, KOLLAM (DIST),
PIN – 691 583

SRI. RENJITH T.R., PUBLIC PROSECUTOR

SRI.ANNIE JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 01.04.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BECHU KURIAN THOMAS, J.

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Crl.M.C.No.1495 of 2024

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Dated this the 1st day of April, 2024

ORDER

Petitioner has invoked the jurisdiction under Section 482 Cr.P.C to quash all proceedings against him.

2. Petitioner is the sole accused in S.C.No.1019 of 2020 on the files of the Assistant Sessions Court, Karunagappally arising out of Crime No.1222 of 2019 of Chavara Police Station, registered for the offences under Sections 294(b), 341, 324, 308 and 201 of the Indian Penal Code, 1860. 2nd respondent is the defacto complainant.

3. According to the prosecution, the accused had on 12.11.2019 restrained the defacto complainant and assaulted him and thereby committed the offences alleged.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent, apart from the learned Public Prosecutor.

5. The learned counsel for the petitioner submitted that the matter has been settled and hence the proceedings against the petitioner ought to be quashed. It was also submitted that, considering the nature of offences alleged, no purpose would be served by continuing the proceedings.

6. In **Gian Singh v. State of Punjab and Another** [(2012) 10 SCC 303], the Apex Court has held that in appropriate cases, the High

Court can take note of the amicable resolution of disputes between the victim and the wrongdoer to put an end to the criminal proceedings. This view was reiterated in **Narinder Singh and Others v. State of Punjab and Another** [(2014) 6 SCC 466] and **Yogendra Yadav and Others v. State of Jharkhand and Another** [(2014) 9 SCC 653].

7. I have perused Annexure A3 affidavit filed by the 2nd respondent. The learned Public Prosecutor has submitted that upon verification, it is understood that the affidavit is genuine, and the defacto complainant stands by the contents thereof. I am satisfied that the matter has been settled and no public interest is involved in this case. There is no impediment for granting the prayer for quashing. The continuance of the proceedings will only be an exercise in futility.

8. Accordingly, all proceedings against the petitioner in S.C.No.1019 of 2020 on the files of the Assistant Sessions Court, Karunagappally are quashed.

This Crl.M.C is allowed as above.

Sd/-

BECHU KURIAN THOMAS, JUDGE

RKM

APPENDIX OF CRL.MC 1495/2024

PETITIONER'S ANNEXURES :

Annexure A1	**CERTIFIED COPY OF THE FIR DATED 13.11.2019 IN CRIME 1222/2019 OF CHAVARA POLICE STATION**
Annexure A2	**CERTIFIED COPY OF THE FINAL REPORT IN SC NO 1019/2020 OF THE ASSISTANT SESSIONS COURT KARUNAGAPPALLY**
Annexure A3	**A TRUE COPY OF THE AFFIDAVIT DATED 23.01.2024 FILED BY THE 2ND RESPONDENT**