IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

THURSDAY, THE 1ST DAY OF AUGUST 2024 / 10TH SRAVANA, 1946

CRL.MC NO. 4894 OF 2024

CRIME NO.49/2022 OF NARAKKAL POLICE STATION, ERNAKULAM IN C.C. NO.252 OF 2022 OF JUDICIAL FIRST CLASS MAGISTRATE COURT, NJARAKKAL

PETITIONER/ACCUSED:

RENJITH T.R.,
AGED 45 YEARS, S/O.REMANAN,
THATTAMPARAMBIL HOUSE,
NEAR GOVERNMENT L.P. SCHOOL,
ELAMKUNNAPUZHA P.O.,
ERNAKULAM, PIN-682503.

BY ADVS.S.SUNIL KUMAR (PALAKKAD)
LEKSHMI S.SEKHER
K.J.SUNIL
REKHAMOLE K.

RESPONDENTS/STATE AND DEFACTO COMPLAINANT:

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

2 **SOUMYA A.R.,**
AGED 36 YEARS, D/O. RAMESH.A.V,
ASARIPARAMBIL HOUSE,
ADIMAPARAMBIL LANE, ELAMAKKARA P.O.,
ERNAKULAM, PIN-682026.

R1 **SRI.RENJIT GEORGE, SENIOR PUBLIC PROSECUTOR**

R2 **ADVS.D.G.VIPIN**
DANIEL A.J.(K/000772/2020)
MANISHA V.V(K/1250/2023)
ANNA ROSE NAMBADAN(K/1574/2023)

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 01.08.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 1st day of August, 2024

This Criminal Miscellaneous Case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash all further proceedings pursuant to Annexure AII Final Report in Crime No.49/2022 of Njarakkal Police Station, Ernakulam, now pending as C.C.No.252/2022 on the files of the Judicial First Class Magistrate Court, Njarakkal. Petitioner herein is the accused in the above case.

2. Heard the learned counsel for the petitioner, the learned counsel appearing for the defacto complainant and the learned Public Prosecutor.

3. In this matter, offence punishable under Section 498A of the Indian Penal Code is alleged to have been committed by the accused and the defacto complainant is none other than the wife of the accused.

4. An affidavit sworn by the defacto complainant has been placed stating that the matter has been settled in

between them and she has no grievance in the matter of quashing the proceedings.

5. The learned Public Prosecutor also submitted that the matter has been settled between the parties and statement of the defacto complainant to that effect has been recorded.

6. Since the matter has been settled, there is no reason to disallow the prayer for quashment, so as to facilitate peaceful living of the married couple. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this petition stands allowed. Annexure AII Final Report in Crime No.49/2022 of Njarakkal Police Station, Ernakulam, now pending as C.C.No.252/2022 on the files of the Judicial First Class Magistrate Court, Njarakkal and the proceedings thereof stand quashed.

Sd/-
A. BADHARUDEEN
JUDGE

bpr

APPENDIX OF CRL.MC 4894/2024

PETITIONER'S ANNEXURES

Annexure AI	**THE CERTIFIED COPY OF THE FIR IN CRIME NO-49/2022 DATED 14.01.2022 OF NARAKKAL POLICE STATION, ERNAKULAM DISTRICT.**
Annexure AII	**THE CERTIFIED COPY OF THE FINAL REPORT IN CC NO-252/2022 PENDING BEFORE THE HONBLE JUDICIAL FIRST CLASS MAGISTRATE COURT, NJARAKKAL.**
Annexure AIII	**THE AFFIDAVIT SWORN BY THE 2ND RESPONDENT DATED 01.04.2024.**
Annexure AIV	**THE CERTIFIED COPY OF THE WITNESS STATEMENT IN CC NO-252/2022 PENDING BEFORE THE HONBLE JUDICIAL FIRST CLASS MAGISTRATE COURT, NJARAKKAL.**