IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE SHIRCY V.

WEDNESDAY, THE 10TH DAY OF MARCH 2021 / 19TH PHALGUNA, 1942

Crl.MC.No.1175 OF 2021(F)

CRIME NO.466/2020 OF Ambalamedu Police Station, Ernakulam

PETITIONERS/ACCUSED:

GILFAR.K.M., AGED 26 YEARS
S/O. MAJEED, C/O. KUTTIKKAD MUHAMMED,
3 B 15/761 PINARMUNDA, PERINGALA P.O, PIN 683565
NOW RESIDING AT KACHANKUZHY HOUSE,
MALAYIDAMTHURUTH P.O, BAVAPADY, ALUVA 683561

BY ADV. SMT.K.M.AMINABEEVI

RESPONDENTS/DEFACTO COMPLAINANT:

1 **STATE OF KERALA**
REPRESENTED BY THE PUBLIC PROSECUTOR,
RFHIGH COURT OF KERALA, ERNAKULAM 682 031

2 **SAHALA, AGED 24 YEARS**
W/O. GILFAR, MUKALUMPURATHU HOUSE,
EDATHALA NORTH P.O, ALUVA 683561

R2 BY ADV. MERIL MUTHU P.JOHN

OTHER PRESENT:

SR GP C.N PRABAKARAN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 10.03.2021, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 10th day of March 2021

Petition under Section 482 of the Code of Criminal Procedure.

2. The petitioner is the accused in Crime No. 466 of 2020 of Ambalamedu Police Station registered for the offences punishable under Sections 498A and 323 of Indian Penal Code now pending before the Judicial First Class Magistrate, Chottanikkara.

3. It is submitted by the learned counsel for the petitioner that the parties have resolved the entire dispute among themselves and now the petitioner and the 2nd respondent are living together. It is also submitted that there is no subsisting dispute between them. Therefore, this petition to quash Annexure A1 FIR.

4. Learned counsel appearing for the 2nd respondent/defacto complainant has submitted that

she has absolutely no grievance or complaint against the petitioner. Annexure A3 is the affidavit sworn to by her in support of the submission of the petitioner. The affidavit further indicates that she has no intention to pursue the matter further.

5. The learned Public Prosecutor has reported that the prosecution has no serious objection in allowing the petition. It is also submitted that as the dispute has been amicably settled, the possibility of conviction is remote and bleak and therefore, no useful purpose would be served in proceeding with the case.

6. Heard both sides and perused the records.

7. On hearing the submissions of all concerned, as well on consideration of the special facts and circumstances involved in this case, I find that no fruitful purpose is likely to be served by proceeding with the matter against the

petitioner. Moreover, no public interest is involved in the case and there is no legal impediment in granting the prayer as sought for by the petitioner. Therefore, for the purpose of securing the ends of justice, this Crl.M.C. is only to be allowed.

For the foregoing reasons, Annexure A1 FIR in Crime No. 1916 of 2020 of Ambalamedu Police Station pending before the Judicial First Class Magistrate, Chottanikkara will stand quashed as prayed for.

Sd/-

SHIRCY V.

JUDGE

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The Operative portion of the final order dated 10.03.2021 is corrected and substituted as per order dated 31.03.2021 in Crl.M.C. No. 1175/2021 as follows:

"**For the foregoing reasons, Annexure A1 FIR in Crime No.466/2020 of Ambalamedu Police Station pending before the Judicial First Class Magistrate, Chottanikkara will stand quashed as prayed for.**"

Sd/-

DEPUTY REGISTRAR

APPENDIX

PETITIONER'S/S EXHIBITS:

ANNEXURE A1	**CERTIFIED COPY OF FIR BY NO 466/2020 OF THE AMBALAMEDU POLICE STATION ON THE FILE OF JUDICIAL FIRST CLASS MAGISTRATE COURT CHOTTANIKKARA**
ANNEXURE A2	**TRUE COPY OF THE AWARD OF THE LOK ADALATH, ERNAKULAM DATED 30-01-2021**
ANNEXURE A3	**THE AFFIDAVIT DATED 12-02-2021 EXECUTED BY THE 2ND RESPONDENT/DEFACTO COMPLAINANT**