

## Maheen Vs State Of Kerala

**Court:** High Court Of Kerala

**Date of Decision:** Oct. 4, 2024

**Acts Referred:** Bharatiya Nagarik Suraksha Sanhita, 2023 " Section 528  
Indian Penal Code, 1860 " Section 294(b), 323, 324, 451, 498A, 506

**Hon'ble Judges:** A. Badharudeen, J

**Bench:** Single Bench

**Advocate:** Manu Ramachandran, M.Kiranlal, T.S.Sarath, R.Rajesh, Sameer M Nair, Sailakshmi Menon, Jothisha K.A.,  
Shifana M., Ansu Varghese, Renjit George

**Final Decision:** Allowed

### Judgement

A. Badharudeen, J

1. This Criminal Miscellaneous Case has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to quash Annexure.A1 Final

Report in Crime No.827/2022 of Kilikolloor Police Station, Kollam, now pending as C.C. No.105/2023 on the files of the Judicial First Class Magistrate

Court-I, Kollam. The petitioner herein is the sole 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, offences punishable under Sections 451, 294(b), 323, 324, 498A and 506 of IPC are 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 the parties 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.A1 Final Report in Crime No.827/2022 of Kilikolloor Police Station, Kollam, now pending as C.C.

No.105/2023 on the files of the Judicial First Class Magistrate Court-I, Kollam and the proceedings thereof, as against the petitioner/accused, stand

quashed.