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**(2024) 11 KL CK 0007**

**High Court Of Kerala**

**Case No:** Criminal Miscellaneous Petition No. 6674 Of 2024

Aravind B Nair

APPELLANT

Vs

State Of Kerala

RESPONDENT

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**Date of Decision:** Nov. 1, 2024

**Acts Referred:**

- Bharatiya Nagarik Suraksha Sanhita, 2023 - Section 528
- Indian Penal Code, 1860 - Section 34, 294(b), 323, 324, 506(ii)

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

**Bench:** Single Bench

**Advocate:** M.R.Sasith, Nanma.B.B, Renjit George

**Final Decision:** Allowed

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**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 FIR

and Annexure.A2 Final Report in Crime No.2085/2020 of Pothencode Police Station, Thiruvananthapuram, now pending as C.P. No.1/2024 on the

files of the Judicial First Class Magistrate Court-I, Attingal. The petitioners herein are accused Nos.1 to3 in the above case.

2. Heard the learned counsel for the petitioners, the learned counsel appearing for the defacto complainant and aggrieved persons and the learned

Public Prosecutor.

3. In this matter, prosecution alleges commission of offences punishable under Sections 294(b), 323, 324, 506(ii) read with 34 of Indian Penal Code.

4. It is submitted that the matter has been amicably settled and the defacto complainant and aggrieved persons filed separate affidavits in this regard.

The defacto complainant and aggrieved persons stated in their affidavits that they have no intention to proceed further in this matter.

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

6. Since the matter has been amicably settled between the parties, there is no reason to disallow the prayer for quashment so as to retain them in

hazards of litigation. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this Criminal Miscellaneous Case stands allowed. Annexure.A1 FIR and Annexure.A2 Final Report in Crime No.2085/2020 of

Pothencode Police Station, Thiruvananthapuram, now pending as C.P. No.1/2024 on the files of the Judicial First Class Magistrate Court-I, Attingal

and the proceedings thereof as against the petitioners/accused Nos.1 to 3, stand quashed.