

Abdul Rasheed K.P Vs State Of Kerala

Court: High Court Of Kerala

Date of Decision: Nov. 4, 2024

Acts Referred: Bharatiya Nagarik Suraksha Sanhita, 2023 " Section 528
Indian Penal Code, 1860 " Section 294(b), 323, 324, 341, 354

Hon'ble Judges: A. Badharudeen, J

Bench: Single Bench

Advocate: Mohammed Nihad, Simran, Sushanth J, Vrinda Paul, M P Prasanth

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.208/2022 of Kannur City Police Station, now pending as C.C. No.799/2022 on the files of the Judicial First Class Magistrate

Court-II, Kannur. The 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 injured and the learned Public

Prosecutor.

3. In this matter, prosecution alleges commission of offences punishable under Sections 341, 323, 324, 294(b) and 354 of Indian Penal Code.

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

complainant and injured 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

injured 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 Final Report in Crime No.208/2022 of Kannur City Police Station, now

pending as C.C. No.799/2022 on the files of the Judicial First Class Magistrate Court-II, Kannur and the proceedings thereof as against the

petitioner/accused, stand quashed.