

Mahesh Vs State Of Kerala

Court: High Court Of Kerala

Date of Decision: Nov. 29, 2024

Acts Referred: Bharatiya Nagarik Suraksha Sanhita, 2023 " Section 528
Indian Penal Code, 1860 " Section 498A

Hon'ble Judges: A. Badharudeen, J

Bench: Single Bench

Advocate: V.V.Joy, Hemanth H.

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 the entire

proceedings in C.C.No.917/2023 on the files of the Judicial First Class Magistrate Court, Chavakkad, arose out of Crime No.918/2023 of Vadanapally

Police Station, Thrissur. 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 de facto 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.

4. It is submitted that the matter has been amicably settled and the de facto complainant filed affidavit in this regard in a case involving matrimonial

dispute. The defacto complainant stated in the affidavit that she has no further grievance against the petitioner.

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

effect has been recorded.

6. Since the dispute has been settled in between the parties, there is no reason to disallow the prayer for quashment, so as to facilitate peaceful living

of the parties hereinafter. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this petition stands allowed and the entire proceedings in C.C.No.917/2023 on the files of the Judicial First Class Magistrate Court,

Chavakkad, arose out of Crime No.918/2023 of Vadanapally Police Station, Thrissur, as against the petitioner stand quashed.