

(2024) 12 KL CK 0003

High Court Of Kerala

Case No: Criminal Miscellaneous Petition No. 9206 Of 2024

Pranav

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision: Dec. 3, 2024

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023 - Section 528
- Indian Penal Code, 1860 - Section 294(b), 447, 506(i)
- Protection of Women from Domestic Violence Act, 2005 - Section 31(1)

Hon'ble Judges: A. Badharudeen, J

Bench: Single Bench

Advocate: Prasun.S, N.A.Retheesh, M.Revikrishnan, 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 all further

proceedings pursuant to Annexure.A1 Final Report in Crime No.1158/2023 of North Paravur Police Station, Ernakulam, now pending as C.C.

No.335/2024 on the files of the Judicial First Class Magistrate Court-I, North Paravur. 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, prosecution alleges commission of offences punishable under Sections 294(b), 447, 506(i) of the Indian Penal Code and under Section

31(1) of the Protection of Women from Domestic Violence Act.

4. It is submitted that the matter has been amicably settled and the defacto complainant filed affidavit in this regard. The defacto complainant stated in her affidavit that she has 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 statement of the defacto complainant to that effect has 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 and FIR in Crime No.1158/2023 of North Paravur Police

Station, Ernakulam, now pending as C.C. No.335/2024 on the files of the Judicial First Class Magistrate Court-I, North Paravur and the proceedings

thereof, as against the petitioner/accused, stand quashed.