

(2024) 12 KL CK 0017

High Court Of Kerala

Case No: Criminal Miscellaneous Petition No. 7699 Of 2024

Ajeesh

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision: Dec. 5, 2024

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023 - Section 528
- Indian Penal Code, 1860 - Section 354D, 506
- Information Technology Act, 2000 - Section 67

Hon'ble Judges: A. Badharudeen, J

Bench: Single Bench

Advocate: Saijo Hassan, M.P.Prasanth, B.Sabitha

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 against the petitioner pursuant to Annexure 2 Final Report in Crime No.475/2023 of Karipur Police Station, Malappuram, now pending as

C.C.No.2090/2023 on the files of the Judicial First Class Magistrate Court-I, Manjeri. 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 learned Public Prosecutor.

3. In this matter, prosecution alleges commission of offences punishable under Sections 354D and 506 of the Indian Penal Code and Section 67 of the

Information Technology Act.

4. An affidavit sworn by the defacto complainant has been placed stating that the matter has been settled in between them 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.Â

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 petition stands allowed. Annexure 2 Final Report in Crime No.475/2023 of Karipur Police Station, Malappuram, now pending as

C.C.No.2090/2023 on the files of the Judicial First Class Magistrate Court-I, Manjeri, and the proceedings thereof as against the petitioner/accused

stand quashed.