
(2024) 12 KL CK 0041

High Court Of Kerala

Case No: Criminal Miscellaneous Petition No. 9489 Of 2024

K.V.Mathew

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision: Dec. 10, 2024

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023 - Section 528
- Indian Penal Code, 1860 - Section 294(b), 354A(1)(iv), 447, 506(i), 509

Hon'ble Judges: A. Badharudeen, J

Bench: Single Bench

Advocate: Harisankar N Unni, Rajeeve P., M.P.Prasanth, Shaijan C.George, Vinai John, Ajay Ramesh

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 C Final

Report in C.C.No.308/2023 on the files of the Judicial First Class Magistrate Court-I, Vaikom, arose out of Crime No.192/2023 of Kaduthuruthy

police station, Kottayam, and all further proceedings thereunder. The petitioner herein is the 1st 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, offences punishable under Sections 447, 294(b), 354A(1)(iv), 509 and 506(i) of the Indian Penal Code, are 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. The de facto complainant stated in the 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 de facto 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 facilitate peaceful living of the parties hereinafter. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this Criminal Miscellaneous Case stands allowed. Annexure C Final Report in C.C.No.308/2023 on the files of the Judicial First Class

Magistrate Court-I, Vaikom, arose out of Crime No.192/2023 of Kaduthuruthy police station, Kottayam, and all further proceedings thereunder, against the petitioner herein, stand quashed.