

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE SOPHY THOMAS

WEDNESDAY, THE 21ST DAY OF FEBRUARY 2024 / 2ND PHALGUNA,

1945

CRL.MC NO. 10553 OF 2023

CRIME NO.1592/2020 OF Sooranadu Police Station, Kollam
AGAINST THE ORDER/JUDGMENT CC 405/2020 OF JUDICIAL FIRST
CLASS MAGISTRATE COURT - II, SASTHAMCOTTA

PETITIONER/S:

- 1 SREEJITH .S, AGED 33 YEARS
S/O SUDEVAN NAIR, SANKARA VILASOM, PORUVAZHI
VILLAGE, SOORANADU, AMBALATHUMBHAGOM P.O, KOLLAM,
PIN - 690520
- 2 RAMANI AMMA, AGED 48 YEARS
W/O SUDEVAN NAIR, SANKARA VILASOM, PORUVAZHI
VILLAGE, SOORANADU, AMBALATHUMBHAGOM P.O, KOLLAM,
PIN - 690520
BY ADV JOMY K. JOSE

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN - 682031
- 2 GAYATHRI, AGED 33 YEARS
D/O SURENDRAN PILLAI, GAYATHRI BHAVANAM,
PORUVAZHI VILLAGE, KUNNATHOOR, SOORANADU,
AMBALATHUMBHAGOM P.O, KOLLAM, PIN - 690520

OTHER PRESENT:

PP-SRI.PRASANTH M.P

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 21.02.2024, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

SOPHY THOMAS, J.

Crl.M.C.No. 10553 of 2023

Dated this the 21st day of February, 2024

ORDER

This Crl.M.C. under Section 482 of CrPC is filed by the accused in Crime No.1592 of 2020 of Sooranadu Police Station, Kollam Rural, registered under Sections 498A read with 34 IPC, for quashing Annexure AI FIR and Annexure AII final report.

2. The prosecution case is that the accused subjected the defacto complainant to matrimonial cruelties demanding more dowry.

3. When the matter is taken up for consideration, learned counsel for the petitioners would submit that, the matter has been amicably settled and he produced Annexures AIII affidavit filed by the 2nd respondent, stating that the entire dispute has been settled, and she is not intending to prosecute this matter any further.

4. Learned Public Prosecutor obtained instructions regarding the settlement, and produced signed statement of the 2nd respondent, in which it is stated that, she has no objection in quashing Annexure AI

FIR and Annexure AII final report, and the proceedings pursuant thereto. Since the matter stands settled, this Court is of the view that, there is no purpose in proceeding with the criminal prosecution initiated against the petitioner.

5. In the light of the principles laid down by the Hon'ble Supreme Court in **Gian Singh v. State of Punjab and Another** [(2012) 10 SCC 303] and **State of Madhya Pradesh v. Laxmi Narayanan and others** [(2019) 5 SCC 688], this Court is of the view that the proceedings can be quashed on the basis of settlement.

In the result, this Criminal Miscellaneous Case is allowed, and Annexure AI FIR and Annexure AII final report in Crime No.1592 of 2020 of Sooranadu Police Station, Kollam Rural, stand quashed.

sd/-

SOPHY THOMAS
JUDGE

das

APPENDIX OF CRL.MC 10553/2023

PETITIONER ANNEXURES

Annexure AI	CERTIFIED COPY OF THE FIR IN CRIME NO. 1592/2020 OF SOORANADU POLICE STATION, KOLLAM RURAL DATED 04-09-2020
Annexure AII	CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO. 1592/2020 OF SOORANADU POLICE STATION, KOLLAM RURAL DATED 28-10-2020
Annexure AIII	ORIGINAL COPY OF THE AFFIDAVIT SWORN TO BY THE RESPONDENT NO: 2 DATED 29-11-2023