

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

FRIDAY, THE 24TH DAY OF MAY 2024 / 3RD JYAISHTA, 1946

CRL.MC NO. 2926 OF 2024

CRIME NO.72/2020 OF KASARAGOD POLICE STATION, KASARAGOD

IN CC NO.200 OF 2020 OF CHIEF JUDICIAL MAGISTRATE, KASARAGOD

PETITIONER/ACCUSED:

MOHAMMED RAFEEQUE T.A

AGED 48 YEARS

S/O BAPU TA, HASEENA MANZIL, M.D NAGAR, TALANGARA VILLAGE,
TALANGARA PO, KASARAGOD TALUK, KASARAGOD, PIN - 671122

BY ADVS.

PUSHPARAJAN KODOTH

K.JAYESH MOHANKUMAR

VANDANA MENON

RESPONDENTS/STATE/DEFACTO COMPLAINANT:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
PIN - 682031
- 2 BEEBI KADEEJATH
AGED 38 YEARS
D/O SOOPPI MUSALIYAR, SHAMEER MANZIL, MULLERIYA, KARADKA,
KASARAGOD, PIN - 671542
BY ADV VIMAL VIJAY
SR PP - RENJITH GEORGE

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
24.05.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER**Dated this the 24th day of May, 2024**

This Criminal Miscellaneous Case has been filed under Section 482 of the Code of Criminal Procedure, 1973, to quash all further proceedings pursuant to Annexure-A FIR and Annexure-B Final Report in Crime No.72/2020 of Kasaragod Police Station, Kasaragod, now pending as C.C. No.200/2020 on the files of the Chief Judicial Magistrate Court, Kasaragod. 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, offence punishable under Section 498(A) of IPC is alleged to have been committed by the accused and the de facto complainant is none other than the wife of the accused.

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.

6. Since the matter has been settled, there is no reason to disallow the prayer for quashment, so as to facilitate peaceful living of the married couple. Therefore, in the interest of justice, I am inclined to allow this petition.

In the result, this petition stands allowed. Annexure-A FIR and Annexure-B Final Report in Crime No.72/2020 of Kasaragod Police Station, Kasaragod, now pending as C.C. No.200/2020 on the files of the Chief Judicial Magistrate Court, Kasaragod, and the proceedings thereof stand quashed.

**Sd/-
A. BADHARUDEEN
JUDGE**

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APPENDIX OF CRL.MC 2926/2024

PETITIONER ANNEXURES :

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| Annexure A | CERTIFIED COPY OF THE F.I.R. IN CRIME NO. 72/2020 OF KASARAGOD POLICE STATION DATED 01.02.2020 |
| Annexure B | CERTIFIED COPY OF THE FINAL REPORT IN C.C. NO 200/2020 ON THE FILE OF CHIEF JUDICIAL MAGISTRATE COURT, KASARAGOD DATED 07.07.2020 |
| Annexure C | A TRUE COPY OF AGREEMENT DATED 27.11.2023 EXECUTED BETWEEN PETITIONER AND THE 2ND RESPONDENT |
| Annexure D | A TRUE COPY OF THE AFFIDAVIT DATED 27.11.2023 FILED BY THE 2ND RESPONDENT |

RESPONDENTS' ANNEXURES : NIL