

Kerala High Court

Roopak vs State Of Kerala on 10 June, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Crl.MC.No. 769 of 2010()

1. ROOPAK , S/O.CHANDRAN,
... Petitioner

Vs

1. STATE OF KERALA, REPRESENTED BY THE
... Respondent

2. MURUGAPPAN ASSAN,

For Petitioner :SRI.G.SUDHEER

For Respondent :SRI.S.K.VINOD

The Hon'ble MR. Justice V.RAMKUMAR

Dated :10/06/2010

O R D E R

V.RAMKUMAR, J.

Crl.M.C.No.769 of 2010

Dated this the 10th day of June, 2010

ORDER

Petitioner who is the sole accused in Crime No.713 of 2009 of Nemom Police Station for offences punishable under Sections 366(A) & 376 I.P.C. seeks to quash Annexure-A, FIR.

2. According to the petitioner, the matter has been subsequently settled and the petitioner has agreed to marry the victim on her attaining age of 18 years and in the light of the settlement, FIR has to be quashed. Since the offences are not compoundable offences and the dispute between the parties is not a purely money dispute, it may not be possible for this Court to press into service the decision Madan Mohan Abbot Vs. State of Punjab (2008(3)KLT 19) and quash the FIR. The

petitioner and the victim may jointly report the settlement to the investigating officer. If inspite of that, a final report is filed charge sheeting the petitioner, the petitioner may challenge the final report by moving the Court, in case grounds exists to do so.

Reserving the above right of the petitioner, this Criminal M.C. is disposed of.

V.RAMKUMAR, JUDGE skj