

ITEM NO.9 Court 14 (Video Conferencing) SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 24362/2021

(Arising out of impugned final judgment and order dated 26-08-2019 in CRLMC No. 5636/2019 passed by the High Court Of Kerala At Ernakulam)

THE STATE OF KERALA & ANR.

Petitioner(s)

VERSUS

HAFSAL RAHMAN N.K & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.153549/2021-CONDONATION OF DELAY IN FILING and IA No.153551/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 03-12-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. G. Prakash, AOR
Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel for the petitioners submits that the FIR No.0399/2018, registered on 24.11.2018 at Police Station Malappuram, District Malappuram for the offences punishable under Sections 9(f) and 10 of the Protection of Children from Sexual Offences Act, 2012, has been quashed only on the basis of a compromise being carried out between the parties which according to him is not permissible in view of the judgment of this Court

reported in 2019 (5) SCC 688 titled as *State of Madhya Pradesh vs. Laxmi Narayan and Others*.

Issue notice, returnable in eight weeks.

Dasti service, in addition, is permitted.

In the meanwhile, there shall be stay of impugned order dated 26.08.2019 until further orders in reference to the afore-stated FIR and let the petitioners may undertake investigation pursuant thereto.

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)