

GAHC040000962026

2026:GAU-AP:65



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Petn./9/2026

Gurazada Uday Krishna nad 6 Ors
Son of Shri G V L R S Prasad, resident of Plot No.36, Saikerthi Enclave, Pragati
Nagar, Opposite to JNTU Kukatpally, Hyderabad, Telengana, India 500090

2: Sanjith BG

Age:

Occupation :

Son of B T Gopala Raju
resident of No. 10354

2nd Phase

2nd Stage

Vijaynagar

4th Stage

Mysore

Karnataka 570032

3: Smti Mangala BJ

Age:

Occupation :

Wife of Shri Sanjith BG
resident of No. 10354

2nd Phase

2nd Stage

Vijaynagar

4th Stage

Mysore

Karnataka 570032

4: Nachigari Shashikanth

Age:

Occupation :

Son of Late N Shankar
resident of No.104

A Block

SaiBalaji Apartments
Beerumguda
Hyderabad
Telangana 502032

5: M/s Devi Energies Pvt Ltd

Age:

Occupation :

represented by its managing Director

Shri Adivi Leela Nagaraju

having its registered office at E-351

Rupa

West Kameng District

Arunachal Pradesh 790003

6: Adivi Leela Nagaraju

Age:

Occupation :

Managing Director of M/s Devi Energies Pvt Ltd

Son of A Kanakalingeswara Rao

resident of Flat No.203

Mountmeru Apartments

Manjara Hills

Road No.5

Khairatabad

Hyderabad

Telangana 500034

7: Dorjee Khandu Thongdok

Age:

Occupation :

Director of M/s Devi Energies Pvt Ltd

Son of Late Wangdi Thongdok

resident of Mandir Road

Rupa

West Kameng District

Arunachal Pradesh 79000

VERSUS

The State of AP and Anr
represented by the PP of AP

2:Deveso Chaitom

SI(P)

Age: 0

Occupation :

Investigating Officer

Police Station Rupa
West Kameng District
Arunachal Pradesh

Advocate for the Petitioner : Rosy C Lowangcha,

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

23/01/2026

Heard learned counsel for the petitioners, Mr. R.C. Lowangcha.

2. The present application has been filed by the petitioners under Sections 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying for quashing of FIR lodged in the Rupa P.S. Case No. 13/2024 U/S 420/406/403 and 32 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that all the sections are compoundable in nature and it is submitted that the parties entered into a deed of settlement by which it was agreed that the party No. 1 to the settlement would withdraw the complaint filed against party Nos. 2 to 5 which resulted in the registration of FIR in crime No. 0013/2024 against party No. 2 and 5 of the settlement deed. It is therefore, prayed that the FIR lodged in Rupa P.S. Case No. 13/2024 may be quashed and set aside in view of the settlement deed which has been arrived at between the parties.

4. The learned Additional Public Prosecutor, Mr. T. Ete accepts notice on behalf of the State respondent No. 1, and at the outset objected to the maintainability

to the present petition. He has submitted that respondent No. 2/ opposite party No. 2 is the investigating officer as well as the complainant in as much as an inquiry was conducted and thereafter, by enquiry report submitted by the respondent No. 2 vide report dated 13.08.2024 had submitted the same before the concerned P.S. The case was therefore, registered on the basis of the inquiry report submitted by the respondent No. 2. Accordingly, the respondent No. 2 ought to have been a party in the settlement deed however, the respondent No. 2 who is the complainant is not a party to the deed of settlement.

5. Another objection which the learned Additional Public Prosecutor has raised is that all the sections involved in the present case are compoundable in nature i.e., Sections 420, 406, 403, and therefore the petitioner has the remedy of approaching the learned Trial Court under Section 359 BNSS corresponding to 320 of the Cr.P.C.

6. The Court has considered the submission of the learned counsel and has perused the pleadings in the petition. It is also noticed that the petitioner had approached this Court earlier by filing 2 (two) criminal petitions being Criminal Petition No. 202/2025 and Criminal Petition No. 96/2025. Criminal Petition No. 96/2025 was withdrawn on 15.05.2025 with a liberty to file afresh and thereafter, Criminal Petition No. 202/2025 was also withdrawn on 10.09.2025 with a liberty to file afresh. Learned Additional P.P has submitted that both the criminal petitions were withdrawn by the petitioner as they had not impleaded the complainant in the said Rupa P.S. Case No. 13/2024.

7. In the present application it is seen that the complainant/investigating officer

has been impleaded as respondent No. 2. However, the deed of settlement does not reveal that the complainant is a party to the settlement. It is also observed that the sections involved in the present petition are all compoundable in nature and the petitioner has the remedy to approach the Trial Court praying for compounding of the offences before the concerned Trial Court.

Accordingly, this application is dismissed as not maintainable.

JUDGE

Comparing Assistant