

GAHC040001802025



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

Case No. : Crl.Petn./16/2025

Ms Tana Yajo and 5 Ors
Daughter of Tana Shelly, resident of Nirjuli, Village I, PO and PS Nirjuli, Papum Pare District, Arunachal Pradesh.

2: Tana Takum
Age:
Occupation :
Son of Late Tana Shelly
resident of Doimukh
PO and PS Doimukh
Papum Pare District
Arunachal Pradesh.

3: Tana Tamar Tara
Age:
Occupation :
Son of Late Tana Shelly
resident of Doimukh
PO and PS Doimukh
Papum Pare District
Arunachal Pradesh.

4: Tana Tadap
Age:
Occupation :
Son of Late Tana Shelly
resident of Doimukh
PO and PS Doimukh
Papum Pare District
Arunachal Pradesh.

5: Smti Takam aku (Tana)
Age:

Occupation :
Wife of Shri Tana Takum
resident of Doimukh
PO and PS Doimukh
Papum Pare District
Arunachal Pradesh.

6: Smti Priya Gongo
Age:
Occupation :
Daughter of Shri Keram Gongo
permanent resident of Dollungmukh
Lower Subansiri District
resident of Doimukh
PO and PS Doimukh
Papum Pare District
Arunachal Pradesh

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : Nalo Pada, Amy Talom, Takom Roleng

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 23.01.2026

Heard Ms. A. Talom, learned counsel for the petitioners. Also heard Ms. L. Hage, learned Additional Public Prosecutor for the State respondent.

2. The present application under Section 528 of BNSS, 2023, has been filed praying for quashing of the criminal proceedings in G.R. Case No. 357/2016 under Sections 452/427/395/148/201/34 of the IPC, pending before the Court of learned Chief Judicial Magistrate First Class, Yupia, Papum Pare District.

3. The learned counsel for the petitioners submits that after filing of the charge-sheet, the parties have entered into an amicable settlement vide settlement deed dated 01.10.2024. The said settlement deed was entered into between the complainant Ms. Tana Yajo and the accused persons i.e., Shri Tana Takum, Shri Tana Tamar Tara, Shri Tana Tadap, Smti Takam Aku and Smti Priya Gongo. In the settlement deed, it has been agreed between the parties that during the pendency of the trial, the parties have agreed to settle the matter amicably, as the complaint was lodged because of a misunderstanding that arose due to the instigation of a third party. Now that the misunderstanding has been resolved, the complainant/first party does not want to pursue the case any further, and as such, the parties have decided to settle the case through the deed of amicable settlement. It was also agreed between the parties through the compromise deed that the first party/complainant does not wish to pursue the case any further, as it is a case between family members. It was also stated in the deed of amicable settlement that the settlement was made with a free-mind and without any undue influence or coercion.

4. Therefore, it is prayed that the criminal proceedings in G.R. Case No. 375/2016 may be quashed and set aside.

5. Ms. L. Hage, learned Additional Public Prosecutor has fairly submitted that the matter may be disposed of as the complainant and the accused persons have entered into a compromise and it would be a futile exercise to continue with the trial.

6. In view of the facts and circumstances as stated hereinabove, this Court is of the view that the petition can be allowed at this stage as the complainant and the accused persons have jointly filed the present petition under Section 528 of

Bharatiya Nagarik Suraksha Sanhita (BNSS) on the basis of the compromise deed executed between them on 01.10.2024.

7. Accordingly, the petition is allowed and the proceedings of G.R. Case No. 357/2016 pending before the learned Judicial Magistrate First Class, Yupia, is set aside and quashed.

8. With the above observation, this petition stands allowed and disposed of.

9. The Registry to send back the trial Court records.

JUDGE

Comparing Assistant