

GAHC040002322026



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

Case No. : Crl.Petn./32/2026

Smti Tako Anita @ Tadar and Anr
Wife of Shri Tadar Tadh, resident of Pachin Colony, PO Naharlagun, PS Papu Nallah,
Papum Pare District, Arunachal Pradesh.

2: Tadar Tadh alias Tako Tadh

Age:

Occupation :

Son of Late Tadar Dolo

resident of Pachin Colony

PO Naharlagun

PS Papu Nallah

Papum Pare District

Arunachal Pradesh

VERSUS

The State of AP represented by the PP of AP

Advocate for the Petitioner : Sumit Chhetri, Habung Aape, Keten Tabang, Tai Dool

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 18.02.2026

Heard Mr. Sumit Chhetri, learned counsel for the petitioners. Also heard Mr. Duksor Loyi, learned P.P., Arunachal Pradesh.

2. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been jointly filed by the informant and the accused, praying for quashing and setting aside of the cognizance order dated 26.07.2025; Charge-sheet No. 70/2024, dated 02.12.2024 u/s. 74/118(1) of the Bharatiya Nyaya Sanhita, 2023; and its corresponding criminal proceedings initiated under G.R. No. 1137/2024; pending before the Court of learned Chief Judicial Magistrate, Yupia.

3. The prayer is made on the ground that the accused and the informant are husband and wife, respectively, and they have subsequently arrived at an amicable settlement of the matter outside the Court and the informant having no further grievance against the accused husband, does not want to pursue the matter any further.

4. Issue notice, returnable within 4(four) weeks.

5. Call for the scanned copies of the relevant trial Court records.

6. Since Mr. Loyi, learned Public Prosecutor, Arunachal Pradesh, has appeared and accepted notice on behalf of the sole respondent, no formal notice is required to be sent to the respondent.

7. List it after 4(four) weeks on a date to be fixed by the Registry.

8. In the meantime, till the next returnable date, the further proceeding of G.R. No. 1137/2024, under Sections 74/118(1) of the Bharatiya Nyaya Sanhita, 2023, pending trial in the Court of the learned Chief Judicial Magistrate, Yupia, shall remain stayed.

JUDGE

Comparing Assistant