

GAHC040011812023



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

Case No. : Crl.Petn./151/2023

Gamdo Ado S/o Late Lingam Ado, Resident of village- Kombo Jirdin, PO/PS- Aalo,
West Siang District, Arunachal Pradesh. Ph. No. 8119865965

VERSUS

The State of AP through the Public Prosecutor

2:Toda Ado

Age: 0 Occupation :

S/O Lt. Duto Ado resident of Upper Colony Aalo

P.O/P.S- Aalo West Siang District Arunachal Pradesh

Advocate for the Petitioner : Kemo Lollen, Geli Taye,D Ado

Advocate for the Respondent : P P of AP, Bate Joel Koyu,Lokam Tadam,Mipe Ete,K Eshi,Dugmar
Kamduk

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 18.02.2026

Heard Mr. Kemo Lollen, learned counsel for the petitioner. Also heard Mr. Gyati Tado, learned Addl. Public Prosecutor, Arunachal Pradesh, appearing on behalf of respondent No. 1; and Mr. Mitem Ratan, learned counsel appearing on behalf of respondent No. 2.

2. This criminal petition under Section 482 of the Code of Criminal Procedure, 1973, has been filed by the petitioner, praying for quashing and setting aside of

the criminal proceeding in G.R. No. 207/2020, arising out of Aalo P.S. Case No. 86/2019, u/ss. 447/379/341/427/506 of the Indian Penal Code; Charge-sheet No. 59/2020, dated 27.08.2020; and the charge framed against him under Sections 447/379/427/506 of the Indian Penal Code.

3. The brief facts of the case is that based on the written First Information Report(FIR) lodged by the respondent No. 2 before the Officer-in-Charge, Aalo Police Station, on 22.09.2019; the aforesaid Aalo P.S. Case No. 86/2019 was registered, leading to the filing of the charge-sheet against the accused u/ss. 447/379/427/506 of the Indian Penal Code.

4. During the pendency of the trial, the petitioner has filed the instant criminal petition, praying for quashing of the proceeding in G.R. No. 207/2020. By order dated 29.08.2023 passed by this Court; the proceeding in G.R. No. 207/2020, was stayed. By another order dated 30.01.2026, this Court found that since the offences are compoundable, there is an element of settlement between the parties; the matter was referred to the High Court Mediation Centre, Itanagar Permanent Bench, Naharlagun, for amicable settlement of the dispute through mediation.

5. It is submitted by the learned counsel for the petitioner that the matter was amicably resolved between the parties through the Mediation. On 04.02.2026, the mediation order was passed by the Centre, whereby, it is stated that the matter has been amicably settled through mediation on voluntary participation of the parties. The mediation order contains that the petitioner expressed remorse and agreed to maintain a peaceful and cordial relationship with the respondent No. 2 and the respondent No. 2/informant, in turn, has forgiven the petitioner for his mistake and agreed to cooperate with him for withdrawal of the proceedings pending against the petitioner. The mediation order also contained that the

respondent No. 2 has no further grievance against the accused petitioner and he expressed that he does not want to pursue with the matter any further. It is further submitted that the said mediation order was passed, based on the Family Keba settlement/decision earlier executed between the parties on 06.06.2025, whereby, the matter was amicably settled between the parties in the presence of their respective family members.

6. The further submission of the learned counsel for the petitioner is that as there is no scope of any conviction in the case, therefore, further proceeding of the case before the learned trial Court would be a futile exercise and it would amount to abuse of the process of law and therefore, he has prayed for quashing and setting aside of the aforesaid G.R. No. 207/2020 pending in the Court of learned Chief Judicial Magistrate, Aalo.

7. The learned counsel for the respondent No. 2 has also submitted that as the matter has been amicably resolved between the parties before the Family Keba and thereafter, through the mediation and since the informant/respondent No. 2 has no further grievance against the accused petitioner; the prayer of the petitioner for quashing and setting aside of G.R. No. 207/2020, may be allowed.

8. The learned Addl. Public Prosecutor, Arunachal Pradesh, has fairly submitted that although the offences are compoundable, however, in view of the settlement arrived at between the parties before the Family Keba and thereafter, through the mediation; he has no objection if the prayer of the petitioner for quashing and setting aside of G.R. No. 207/2020, is allowed.

9. In view of the above submissions of the learned counsels for the parties and also considering the fact that the matter is of private dispute and has

been amicably settled between the parties before the Family Keba and thereafter, through the mediation; this Court is of the opinion that there is hardly any scope for conviction in the case and even if the proceedings before the learned trial Court is allowed to continue, it would be a futile exercise and would amount to the abuse of the process of law.

10. Further, although all the offences are compounable, however, considering that the matter has been settled through mediation in the Mediation Centre of the High Court on mutual agreement of the parties, the criminal petition is allowed in terms of the said settlement in the interest of justice.

11. Accordingly, the G.R. No. 207/2020, arising out of Aalo P.S. Case No. 86/2019; charge framed u/ss. 447/379/427/506 of the Indian Penal Code; pending against the accused Shri Gamdo Ado before the Court of learned Chief Judicial Magistrate, West Siang District, Aalo, is hereby quashed and set aside.

12. With the above, the instant criminal petition stands disposed of.

JUDGE

Comparing Assistant