

GAHC040016302023



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

Case No. : Crl.Petn./225/2023

Techi Boy
S/o Late Techii Bojum, Permanent resident of Ganga-Chimi Village, PO RKMH and
PS Chimpu, Papum Pare District, Arunachal Pradesh, Pin 791111, PH
7085821240(Accused)

VERSUS

The State of AP and 4 Others
Represented by Public Prosecutor Arunachal Pradesh.

2:The Director General of Police
Age: 0
Occupation :
PHQ
Chimpu
Govt. of Arunachal Pradesh
Itanagar
PO and PS Itanagar
Arunachal Pradesh
791111

3:The Superintendent of Police
Age: 0
Occupation :
Papum Pare District
PO and PS Itanagar
Arunachal Pradesh
791111

4:Smti Techii Yana
Age: 0
Occupation :
W/o Techii Tago

Permanent resident of Ganga-Chimi Village
PO RKMH and PS Chimpu
Papum Pare District
Arunachal Pradesh
Pin 791111 (Informant/Complainant)

5:Shri Techhi Tem @Amir
Age: 0
Occupation :
S/o Techhi Tago
Permanent resident of Ganga-Chimi Village
PO RKMH and PS Chimpu
Papum Pare District
Arunachal Pradesh
Pin 791111 (Victim)

Advocate for the Petitioner : Aruna Rai, T Siga, Chanya Bangsia, Madan Mili, Ebo Mili, Sonam Tsomo, Tali Umbey, S D Loda, Reken Ingo, Sunil Mow

Advocate for the Respondent : P P of AP, A Tayeng, Jyoti Zongluju

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 25.09.2025

Heard Mr. Reken Ingo, learned counsel for the petitioner. Also heard Ms. L. Hage, learned Addl. Public Prosecutor, Arunachal Pradesh, appearing on behalf of respondent Nos. 1, 2 & 3; and Mr. T. Lomdak, learned counsel, appearing on behalf of respondent Nos. 4 & 5.

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. 685/2022 arising out of Chimpu Police Station Case No. 38/2022 registered under Sections 448/323/341/34 of the Indian Penal Code pending before the learned Court of Chief Judicial Magistrate, Yupia.

3. On the request of the parties; this matter was referred to the High Court Mediation Centre, Itanagar Permanent Bench, Naharlagun, for amicable settlement of the dispute between the private parties regarding contest of the case on merit by the parties. The matter was, thereafter, amicably settled amongst the parties before the Mediation Centre on 22nd of September, 2025.

4. The High Court Mediation Centre has submitted its report indicating that the matter has been amicably settled between the parties.

5. As per the terms of settlement, dated 22.09.2025; the petitioner has undertaken that in future, he will refrain from any form of harassment or violence – whether physical, verbal, or, otherwise – and shall not engage in any abuse or disrespectful behaviour towards the respondent and the victim in any manner, or, at any place as allegedly occurred in the past.

6. The said condition was agreed and accepted upon by the respondent informant and the victim, and they have also expressed that they have forgiven the accused petitioner and as such, they have no further grievance against the accused petitioner and therefore, they have no objection to the quashing of the above-noted G.R. No. 685/2022 arising out of Chimpu Police Station Case No. 38/2022 pending before the learned Court of Chief Judicial Magistrate, Yupia.

7. The learned counsel for the parties submits that since the matter has been amicably settled amongst the parties; the proceeding against the accused petitioner before the learned Court of Chief Judicial Magistrate, Yupia, may be quashed and set aside.

8. The learned Additional Public Prosecutor, Arunachal Pradesh, fairly submits that in view of the amicable settlement between the parties before the Mediator, she has no objection if the prayer of the petitioner is allowed.

9. Upon hearing the parties and considering that the disputes have amicably been settled amongst the parties through mediation; this Court is also of the opinion that the dispute is in between the private individuals and does not affect the society at large and under the circumstances, there is no scope of any conviction and as such; the proceeding before the learned trial Court would be a futile exercise and an abuse of the process of law.

10. The Hon'ble Supreme Court in the case of ***State of Madhya Pradesh v. Laxmi Narayan & ors.***, reported in **(2019) 5 SCC 688**, held that the High Court in exercise of power conferred under Section 482 of the Code of Criminal Procedure, 1973, can quash the criminal proceeding even for non-compoundable offences which are private in nature and do not have serious impact on society on the ground that there is settlement/compromise between the victim and the offender.

11. In the light of the principle laid down by the Hon'ble Supreme Court in the case of ***Gian Singh v. State of Punjab*** reported in **(2012) 10 SCC 303**, ***Narinder Singh v. State of Punjab***, reported in **(2014) 6 SCC 466**, as well as in the case of ***Laxmi Narayan***(supra), wherein, the Hon'ble Supreme Court has permitted quashing of proceedings even in non-compoundable offence in cases involving private disputes which do not affect the society at large, this Court is of the considered opinion that this is a fit case where inherent power under Section 482 of the Code of Criminal Procedure, 1973/Section 528 of the Bharatiya Nagarik Suraksha Sanhita(BNSS), 2023, should be exercised to

secure the ends of justice.

12. Accordingly, the proceeding in proceeding in G.R. No. 685/2022 arising out of Chimpu Police Station Case No. 38/2022 registered under Sections 448/323/341/34 of the Indian Penal Code pending before the learned Court of Chief Judicial Magistrate, Yupia, against the accused petitioner Shri Tech Boy, are hereby quashed in the interest of justice.

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

JUDGE

Comparing Assistant