

GAHC040016592025



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

Case No. : Crl.Petn./223/2025

Tana Kuma and 2 Ors
Son of Shri Tana Taekhi, permanent and Present resident of Village Tigdo, PO and PS
Doimukh, Papum Pare District, Arunachal Pradesh.

2: Chukhu Bablu
Age:
Occupation :
Son of Shri Chukhu Loma
a permanent and present resident of Village Gumto
PO and PS Doimukh
Papum Pare District
Arunachal Pradesh.

3: Anoj Kumar Giri
Age:
Occupation :
Son of Shri Ramesh Giri
a permanent resident of Village Murli
PO and PS Sangrampur
Motihari District
Bihar and presently residing at Emchi Village
PO and PS Doimukh
Papum Pare District
Arunachal Pradesh

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : N Rama, Dindo Boni, Teshi Aaku, Techhi Ita Tara, T Rahul, N Kuma, N Kanu, P L Gee, P Tatam

Advocate for the Respondent : P P of AP,

**BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER**

ORDER

Date : 21.01.2026

Heard Mr. N. Rama, learned counsel for the petitioners. Also heard Ms. L. Hage, learned Additional Public Prosecutor for the State respondent.

2. The present application has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for quashing of the FIR dated 26.08.2020, registered as Doimukh P.S. Case No. 68/2020 in connection with G.R. Case No. 480/2020 under Section 392 of IPC.

3. The present petition has been filed jointly by the accused, the informant and the victim praying for quashing of the FIR dated 26.08.2020, registered as Doimukh P.S. Case No. 68/2020 and also all the proceedings arising out of the same FIR.

4. The learned counsel for the petitioner has submitted that the present petition has been filed jointly by the informant, the accused and the victim on the basis of a deed of mutual settlement executed between them on 13.03.2025. It is stated that through the settlement deed dated 13.03.2025, the informant and the victim have voluntarily decided to forgive the accused on humanitarian ground as whatever happened was due to miscommunication. It was also agreed between the parties that the informant and the victim shall not re-agitate the issue pertaining to the present case before any Court or forum

and that the parties shall maintain harmonious relationship and peaceful atmosphere and shall not make any altercation or defame the other person by referring to this case in the future. It was agreed upon that the accused shall not repeat the same offence in the near future under any circumstances. It was also agreed in the deed of settlement that an amicable settlement has been arrived at between the parties and the informant shall not press the aforementioned Doimukh P.S. Case No. 69/2020 under Section 392 of IPC and shall withdraw the said complaint.

5. In view of the above deed of settlement, it is prayed that the petition may be allowed and the FIR dated 26.08.2020 and the proceedings in G.R. Case No. 480/2020 pending before the Court of Chief Judicial Magistrate, Yupia, may be quashed and set aside.

6. Ms. L. Hage, learned Additional Public Prosecutor for the State respondent has fairly submitted that the matter is a private dispute and therefore, the matter is left of the discretion of this Court and that the continuation of the criminal proceedings would be a futile exercise.

7. The Court has given due consideration to the submissions of the learned counsels and also perused the records. Especially, the deed of mutual settlement arrived at between the parties. The Court has also taken note of the fact that the present petition has been filed jointly by the informant, the accused and the victim praying for quashing of the FIR and the consequent proceedings in connection with Doimukh P.S. Case No. 68/2020. This Court is accordingly of the view that the continuation of the criminal proceedings in this case would be a futile exercise as it would not lead to a conviction.

8. In view of the observation, the petition is allowed and the FIR dated 26.08.2020 registered as Doimukh P.S. Case No. 68/2020 is quashed and set aside and the proceedings of G.R. Case No. 480/2020 pending before the Court of Chief Judicial Magistrate, Yupia, is also quashed and set aside.

9. This present criminal petition stands allowed and disposed of.

JUDGE

Comparing Assistant