

GAHC040010592023



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

Case No. : Crl.Petn./145/2023

Biki Napang @ Tapang and 4 Ors.
S/o Biki Tudu, Permanent Resident of Chambang Village, P.O Chambang, PS Palin
District Kra Daadi, Arunachal Pradesh, Presently residing at Papu Nallah PO
Naharlagun, P.S Papu Nallah, District Papum Pare Arunachal Pradesh. Mobile No.
9436665513 2: Miching Bai

Age:

Occupation :

3: Miching Laya

Age:

Occupation :

4: Miching Cheyum

Age:

Occupation :

5: Miching Kakum @ Jacop

Age:

Occupation

VERSUS

THE STATE OF AP

through the public prosecutor, Arunachal Pradesh.

Advocate for the Petitioner : Taja Garam

Advocate for the Respondent : P P of AP

BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

30.04.2024

Heard Mr. Taja Garam, learned counsel for the petitioner. Also heard Mr. J. Tsering, learned Public Prosecutor for the State respondent.

2. This is a joint application under Section 482 CrPC, 1973 for quashing and setting aside the Naharlagun PS Case No. 249/2015 registered under Section 147/149/452/427 of the IPC which are presently pending before the Court of the Chief Judicial Magistrate, Capital Complex, Yupia on the ground that the parties have entered into a settlement of their dispute.

3. Heard the parties.

4. It appears that the complainant and the accused persons are relative to each other and had jointly filed this criminal petition wherein the affidavit has been signed by the complainant himself praying that the FIR filed by the complainant being Naharlagun PS Case No. 249/2015 vide GR Case No. 787/2015 pending before the Court of Chief Judicial Magistrate, Capital Complex, Yupia be set aside and quashed.

5. By filing an additional affidavit, the Deed of Settlement dated 12.08.2023 entered between the complainant and the accused/petitioner is also enclosed and placed before this Court.

6. A perusal of the aforesaid settlement agreement indicates that the parties have settled their differences vide the aforesaid Settlement Deed.

7. It further appears that the parties are now living peacefully with one

another.

8. In view of the above settlement arrived between the parties, this Court for the ends of justice, is of the considered view that the aforesaid criminal proceedings be set aside and quashed.

9. Accordingly, the Criminal Proceedings being Naharlagun PS Case No. 249/2015 vide GR Case No. 787/2015 alongwith the FIR is set aside and quashed.

Disposed of.

JUDGE

Comparing Assistant