

GAHC040000372024



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

**Case No. : Crl.Petn./4/2024**

Tumbi Ete and Anr  
D/o Shri Yitum Ete, permanent resident of near District Library, Aalo, PO Aalo, West  
Siang District, AP

VERSUS

The State of AP  
represented by the PP, AP

**Advocate for the Petitioner** : T T Tara

**Advocate for the Respondent** : P P of AP

**BEFORE**  
**HON'BLE MR. JUSTICE KAUSHIK GOSWAMI**  
**ORDER**

**01.05.2024**

Heard Mr. Binter Picha, learned counsel for the petitioner. Also heard Mr. T. Ete, learned Addl. Public Prosecutor for the State respondent.

2. This is a joint application filed under Section 482 of CrPC, 1973 for quashing and setting aside of the Charge Sheet No. 03/2017 dated 04.07.2017 registered under Section 325/427/498(A) of IPC, 1860 arising out of FIR /

Rumgong Police Station Case No. 02/2017 dated 20.05.2017, which is presently pending before the Court of the Judicial Magistrate First Class, Rumgong, District Siang, Arunachal Pradesh on the ground that the parties have entered into settlement and resolved the differences between them.

3. Heard the parties and perused the materials available on record.

4. It appears that the petitioner No. 1/complainant and petitioner No. 2/accused were married and pursuant to the FIR filed by petitioner No. 1 dated 20.05.2017, they have amicably solved the differences between them under the guidance of the family, relatives and elders of both the parties as there were no offence committed by the petitioner No. 2, as alleged in the FIR dated 20.05.2017.

5. It appears that both of them have filed affidavit accompanying joint application.

6. It further appears from the Settlement Deed dated 06.11.2023, which is enclosed as annexure-5 to the petition that the parties have resolved their differences amicably and settled the matter.

7. It further appears that during the pendency of the criminal proceedings, they have been separated and having their own family now.

8. In view of the fact that the petitioner No. 1 and petitioner No. 2 are living separately and having their own family and has also resolved amicably the differences between them, this Court for the ends of justice, is inclined to set aside and quash the subject criminal proceedings.

9. Accordingly, the Charge Sheet No. 03/2017 dated 04.07.2017 under

Section 325/427/498(A) of IPC, 1860 arising out of FIR / Rumgong Police Station Case No. 02/2017 dated 20.05.2017, which is presently pending before the Court of the Judicial Magistrate First Class, Rumgong, District Siang, Arunachal Pradesh is hereby set aside and quashed.

Disposed of.

**JUDGE**

**Comparing Assistant**