

GAHC040000882024



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

Case No. : Crl.Petn./8/2024

Hiba Tajuk and 3 Ors
S/o Late Hiba Tayo, Hiba Village, PO Sangram, Kurungkumey District, AP

2: Hiba Changriang
Age:
Occupation :

3: Tade Uli
Age:
Occupation :

4: Takam Yape
Age:
Occupation

VERSUS

The State of AP
represented by the PP

Advocate for the Petitioner : Teto Taba

Advocate for the Respondent : P P of AP

**BEFORE
HONBLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 24.04.2024

Heard Mr. B. Taba, learned counsel for the petitioner. Also heard Ms. L. Hage, learned Additional Public Prosecutor for the State of Arunachal Pradesh.

This is a joint application under Section 482 of Cr.P.C filed by the alleged accused persons along with the victim for quashing of the proceedings of ITA. P.S. Case No. 286/2018 (G.R. Case No. 703/2018) registered under Section 353/354/323/34 IPC pending before the Chief Judicial Magistrate, Yupia, Capital Complex, Arunachal Pradesh on the ground of settlement made between the parties by the deed of settlement dated 15.01.2024.

The case of the prosecution in brief is that the criminal case arises out of the FIR filed by one Shri Tade Uli (Traffic Warden) to the effect that on 13.10.2018 he was performing traffic duty near Division-IV, while two person coming in one vehicle by over taking the other vehicle on the bridge, the traffic staff stopped the vehicle, however, upon being stopped the said two persons physically assaulted the informant and the other lady traffic warden. Accordingly, an FIR was lodged.

Subsequently, the matter was investigated and charge-sheet has been

filed against the petitioner Nos. 1 & 2 being charge-sheet No. 320/2018 dated 21.10.2018 under Section 353/354/323/34 IPC. Subsequently, the petitioner Nos. 1 & 2 has entered into settlement with the petitioner Nos. 3 & 4.

It is submitted at the bar that the parties have already amicably settled their differences outside the Court vide settlement dated 15.01.2024. The said settlement deed dated 15.01.2024 is annexed as annexure-3 to the petition. It appears from the aforesaid settlement deed that the parties have already settled their differences.

In view of the aforesaid settlement and endorsement made by the parties, this Court is of the considered view that for the ends of justice the criminal proceedings can be quashed.

Accordingly, the FIR, Charge-Sheet and proceedings arising out of ITA. P.S. Case No. 286/2018 (G.R. Case No. 703/2018) registered under Section 353/354/323/34 IPC hereby stands quashed.

With the above observation, the criminal petition stands disposed of.

JUDGE

Comparing Assistant