

GAHC040002482024



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

Case No. : Crl.Petn./25/2024

Montosh Chandra Saha @ Mantosh Saha and 2 Ors
Son of Shri Lakhan Saha, permanent resident of Siliguri, Buddan Market, Tula Patti
No. 4, PO and PS Siliguri, Darjelling District, West Bengal and presently residing at
Naharlagun, PO and PS Naharlagun, Papumpare District, ,Arunachal Pradesh 791110
2: Laffe Paffa

Age:

Occupation :

3: Moli Ango

Age:

Occupation

VERSUS

The State of AP
represented by the PP

Advocate for the Petitioner : Reken Ingo

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MRS. JUSTICE MARLI VANKUNG

ORDER

Date : 24.07.2024

Heard Mr. R. Ingo, learned counsel for the petitioners, who has filed this

criminal petition under Section 482 of the Code of Criminal Procedure, 1973, praying for setting aside and quashing of the FIR/Charge-sheet/criminal proceedings against the petitioners in G.R. Case No.707/2019 arising out of Naharlagun P.S. Case No.170/2019, under Sections 153/153A/506/34 of the IPC.

The learned counsel for the petitioners submits that the petitioner and the informant, who had filed the FIR have now come to an amicable settlement by executing a compromise/settlement deed dated 21.02.2024 before the Notary Public, Itanagar Capital Region, Govt. of Arunachal Pradesh, wherein, it was mentioned that in view of the compromise arrived between the parties, the entire differences and grievances arisen in between the parties stands resolved and the parties shall maintain social harmony, brotherhood and peaceful atmosphere amongst each other. The learned counsel also submits that during the consideration of charge, the charge under Section 506 IPC has been dropped.

The learned counsel further submits that in the additional-affidavit filed subsequently, it is also seen in the minutes of the meeting dated 25.02.2024 that the complainant/informant is representing the United Arunachal Indigenous People's Forum(UAIPF), wherein as per the compromise/settlement deed, the complainant/informant is willing to withdraw the instant FIR and it is also mentioned in the agreement that steps will be taken for the subsequent criminal proceedings to be cancelled and quashed from the appropriate forum of Court.

Ms. L. Hage, learned Addl. Public Prosecutor submits that in view of the compromise deed executed by the informant and the accused, the matter is left to the discretion of the Court. She further submits that a condition may however be imposed that the accused/petitioner should not indulge in any such type of activities in future.

Having heard the submissions made by the learned counsels for both the

parties and on consideration of the offence for which the petitioner has been charged, which are under sections 153/153A IPC, this Court on finding that the parties have come to a compromise resolving to maintain social harmony and peaceful atmosphere amongst each other, find it fit to invoke its inherent power under Section 482 of the Cr.P.C and hereby quash the further proceedings of the Nlg P.S. Case No.170/2019, under Sections 153/153A/506/34 IPC, pending before the Court of the learned Chief Judicial Magistrate, Yupia.

Accordingly, the criminal petition No.25(AP)2024 stands allowed and disposed of.

JUDGE

Comparing Assistant