

GAHC040004652024



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

Case No. : Crl.Petn./45/2024

Yapi Singlong Ado and 2 Ors
Wife Jomdar Ado, resident of Bogdo, Aalo, PO and PS Aalo, West Siang District,
Arunachal Pradesh 791001

2: Jomdar Ado
Son of Late Kirjom Ado resident of Bogdo Aalo PO and PS Aalo West Siang District
Arunachal Pradesh 791001

3: Kensuk Bole
D/o Shri Yomken Bole resident of Village Liromoba Po and PS Liromoba West Siang
District Arunachal Pradesh 79110

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : Adam Tatak

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 24-04-2024

Heard Mr. D. Tally, the learned counsel for the petitioner. Also heard Mr. G. Tado, the learned Additional Public Prosecutor for the State respondent.

2. This is a joint application under Section 482 of Cr.P.C, 1973, for quashing and setting aside of the Aalo Women P.S. Case No. 02/2024, dated 24.02.2024 registered under Sections 498A/323/34 IPC on the ground that the parties have entered into settlement vide Deed of Settlement dated 03.03.2024.

3. The brief facts of the case is that on 24.02.2024, an FIR was lodged by the petitioner No.1 alleging *inter alia* that on 24.02.2024, her husband, Jomdar Ado/petitioner No.2 and one miss Kensuk Bole/petitioner No.3 had physically assaulted her at her rental residence at around 9:30 am, without any valid reasons and provocation. It was informed that the petitioner No.2 was holding the hands of the petitioner No.1 while petitioner No.3 was physically beating the petitioner No.1 on her face and head which resulted in inflicting injuries on her face and head. She somehow escaped from their grip and ran away from her rental house by locking them inside and later on, her father-in-law had informed the police.

4. On the basis of the above information, Investigating Officer has arrested both the accused persons i.e., petitioner No. 2 and 3 and later on, they were enlarged on bail. While the case is under investigation stage, the parties have entered into settlement and in

view of the aforesaid settlement the parties have jointly approached this Court under Section 482 of the Cr.P.C for compounding the offences under Section 498A/323/34 of the IPC which is at investigating stage, so as to prevent the abuse of process of Court and to secure the ends of justice.

5. It appears from the Deed of Settlement dated 03.03.2024, which is enclosed as Annexure-II to the petition that the parties have already settled the differences between them on the ground of misunderstanding.

6. It is submitted at the bar that in view of the aforesaid settlement, the FIR can be quashed for the ends of justice.

7. In view of the aforesaid settlement and endorsement made by the learned counsel for the parties, this Court disposes the petition by setting aside and quashing the Aalo Women P.S. Case No. 02/2024, arising out of FIR dated 24.02.2024, registered under Sections 498A/323/34 IPC.

Order accordingly, disposed of.

JUDGE

Comparing Assistant