

GAHC040005762024



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

Case No. : Crl.Petn./53/2024

Miss Nyanu Digbak and Anr
D/o Shri Tania Digbak, permanent resident of Digbak village, PO and PS Dumporijo,
Upper Subansiri District, Arunachal Pradesh

2: Tadah Tana Tara

Age:

Occupation

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : T T Tara

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 03.05.2024

Heard Mr. J. Jini, learned counsel for the petitioner. Also heard Mr. T. Ete,
learned Additional Public Prosecutor for the State respondent.

1. This is a joint application filed under Section 482 of Cr.P.C for quashing and setting aside of the FIR dated 08.08.2022 registered as Itanagar Women P.S. Case No. 95/2022 registered under Section 354/323 of IPC 1860 and Charge-Sheet No. 97/2023 registered under Section 354/323 of IPC 1860 which is presently pending before the Court of the Chief Judicial Magistrate, Yupia, Papum Pare District, Arunachal Pradesh as G.R. Case No. 95/2022 on the ground that the parties have settled the differences arisen between them.

2. The petitioners i.e the complainant/victim and the accused/petitioner No. 2 have jointly approach this Court for compounding the offences under Section 354/323 of the IPC between the parties and for quashing and setting aside the subject criminal proceedings in view of the settlement arrived between them pursuant of the Deed of the Agreement dated 30.08.2023.

3. Mr. T. Ete, learned Additional Public Prosecutor for the State submits that he has received no instruction to object to the prayers sought for in this criminal petition.

4. Heard the parties and also perused the materials available on record.

5. A perusal of the joint application reveals that the same is accompanied by the affidavit sworn by both the parties i.e., the complainant/victim and the accused/petitioner No. 2. It further appears that the parties have entered

mutually into a deed of agreement dated 30.08.2023, whereby, it has clearly being stated that they have settled the differences/disputes and pursuant to such settlement they are living peacefully with one another.

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

7. Accordingly, the FIR dated 08.08.2022 registered as Itanagar Women P.S. Case No. 95/2022 registered under Section 354/323 of IPC 1860 and Charge-Sheet No. 97/2023 registered under Section 354/323 of IPC 1860 which is presently pending before the Court of the Chief Judicial Magistrate, Yupia, Papum Pare District, Arunachal Pradesh as G.R. Case No. 95/2022 is hereby set aside and quashed.

The Criminal Petition stands disposed of in terms of the above observation.

JUDGE

Comparing Assistant