

GAHC040013542023



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

Case No. : Crl.Petn./184/2023

Tugam Takia and 2 Ors.

S/o Lt. Tugam Tade, resident of Village Madhu, PO and PS Tali, District Kra Daadi, Arunachal Pradesh, and Presently residing at near power House Chandra Nagar, Itanagar, PO R.K Mission and PS Itanagar, District Papum Pare, Arunachal Pradesh, Mobile No. 9774090720

2: Ringu Kama

S/o Lt. Ringu Solung resident of Lorr Village Near Zoo Itanagar PO and PS Chimpur District Papum Pare Arunachal Pradesh and Presently residing at near power House Chandra Nagar Itanagar PO R.K Mission and PS Itanagar District Papum Pare Arunachal Pradesh

3: Ringu Apa

S/o. Ringu Kama resident of Lorr Village Near Zoo Itanagar PO and PS Chimpur District Papum Pare Arunachal Pradesh and Presently residing at near power House Chandra Nagar Itanagar PO R.K Mission and PS Itanagar District Papum Pare Arunachal Pradesh

VERSUS

THE STATE OF AP

represented by public Prosecutor

Advocate for the Petitioner : N Rama

Advocate for the Respondent : P P of AP

**BEFORE
HONBLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

Date : 24-04-2024

Heard Mr. N. Rama, the learned counsel for the petitioner. Also heard Ms T. Jini, the learned Additional Public Prosecutor for the State respondent.

2. This is a joint application filed under Section 482 of the Cr.P.C.,1973 seeking quashing of an FIR dated 19.12.2021, registered as Itanagar P.S. Case No. 514/2021, G.R. No. 1212/2021, under Sections 279/323 of the IPC and subsequent proceeding of the case in view of the settlement arrived between the parties.

3. The brief facts of the case is that the petitioner No.2 had lodged an FIR against the petitioner No.1 before the Itanagar police station on 19.12.2021 stating *inter alia* that on 18.12.2021, the petitioner No.1 drove his car bearing Registration No. AS-07-6523 in an intoxicant state and run over his son i.e. petitioner No.3. Accordingly, an FIR was registered and the petitioner No.1 was also arrested and interrogated and thereafter, enlarged on bail. In the meantime, the parties have arrived into settlement and in view of the aforesaid settlement; the present applicant has been filed jointly by the accused, informant and the victim.

4. I have heard the submissions made at the bar and perused

the materials available on records.

5. It is submitted at the bar that both the parties have settled the matter and in support of the same a Deed of Settlement dated 01.02.2024, has been enclosed to the joint application, which is marked as Annexure-'A'. Further, another Deed of Settlement is placed before this Court by the counsel for the petitioners which is kept on record and marked as 'X'.

6. It appears from the aforesaid 2(two) settlement deed that both the parties have consented for settlement of the matter and accordingly, entered into the aforesaid 2(two) Deed of Agreement, where under the petitioner No.1 has already compensated the petitioner No.2 and petitioner No.3 respectively.

7. In view of the aforesaid settlement and endorsement made by the learned counsel for the parties, this Court for ends of justice, disposes of this application by quashing the FIR dated 19.12.2021, registered as Itanagar P.S. Case No. 514/2021, G.R. No. 1212/2021, under Sections 279/323 IPC and subsequent proceeding of the case.

The Criminal Petition accordingly, stands disposed of.

JUDGE

Comparing Assistant