

GAHC010047142023



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

Case No. : Crl.Pet./225/2023

DR. SHAHEEN RAHMAN AND ANR
S/O LT. MUKIBAR RAHMAN
R/O TOKOBARI, HOUSE NO. 57
S.J. ROAD, NEAR RAILWAY GATE NO. 4, GUWAHATI, P.S. BHARALUMUKH
DIST. KAMRUP (M), ASSAM
PIN-781001

2: DR FARIDA BEGUM
W/O LATE MUKIBAR RAHMAN
R/O TOKOBARI
HOUSE NO. 57
S.J. ROAD
NEAR RAILWAY GATE NO. 4
GUWAHATI
P.S. BHARALUMUKH
DIST. KAMRUP (M)
PIN-78100

VERSUS

THE STATE OF ASSAM
REP. BY THE PP, ASSAM

Advocate for the Petitioner : MR. I CHOUDHURY

Advocate for the Respondent : PP, ASSAM

BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI
O R D E R

28.03.2024

Heard Mr. I. Choudhury, learned counsel for the petitioner. Also heard Mr. P. Sharma, learned Additional Public Prosecutor, for the State respondents.

2. This is an application under Section 482 of Code of Criminal Procedure, 1973 for quashing of F.I.R i.e. Bharalumukh Police Station Case No.757/2020 registered under Sections 448/294/427/323/506 of IPC. The F.I.R is dated 11.12.2020.

3. The case of the prosecution is that the petitioner Nos.1 and 2 are son and mother, respectively and due to some misunderstanding between them, the petitioner No.2 i.e. the mother lodged an F.I.R against the petitioner No. 1 and now they have amicably settled their differences and have approached this Court for quashing the said F.I.R by the present petition.

4. I have heard the submissions made at the bar and have perused the materials available on record.

5. It appears that the informant/mother along with her son has jointly filed the instant petition for quashing the F.I.R on the ground that the matter has been amicably settled between them. It further appears that the accompanying affidavit has been sworn in by the informant/mother herself.

6. Considering the averments made in paragraph-7 of the petition that the matter has been amicably settled between the petitioner Nos. 1 and 2 and they are living happily, this Court is of the considered view that for the ends of justice, the further proceeding in connection with the said F.I.R dated

11.12.2020 and the proceeding of PRC Case No.2549/2021 pending in the Court of learned Judicial Magistrate 1st Class, Kamrup(M) be quashed and set aside.

7. Ordered accordingly.

8. The criminal petition stands disposed of.

JUDGE

Comparing Assistant