



Serial No. 18
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

CrI.Petn. No.43 of 2025

Date of Order: 21.11.2025

Shri. Baiahunlangki Langshiang
Son of Shri Domi Mynthlu of
Umkiang Village, East Jaintia Hills District, Meghalaya.

.....Petitioner

-VERSUS-

1. The State of Meghalaya, represented by its
Commissioner and Secretary (Home), Shillong
2. Sub-Inspector Samuel Lynthong of
Mawryngkneng Police Station Mawryngkneng,
East Jaintia Hills District, Meghalaya
3. Smti. Balarisha Dhar
Wife of (L) Heinidamon Pohlong
4. Shri. Enuel Syrti
Son of Smti. Kanshi Syrti
5. Shri Lumlang Dhar
Son of Kyrham Mynthlu
All residents of Umkiang village
East Jaintia Hills District, Meghalaya.

.....Respondents

Coram:

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Pandit, Adv

For the Respondent(s) : Mr. R. Gurung, GA with
Mr. S. Sengupta, Addl.Sr.GA (R:1-2)
Ms. N. Chyrmang, Adv (R:3,4&5)



Judgment and Order(Oral)

1. Heard Mr. S. Pandit, learned counsel appearing for the petitioner, Mr. R. Gurung, learned GA appearing for the State-respondent Nos. 1 – 2 and Ms. N. Chyrmang, learned counsel appearing for the respondent Nos. 3, 4 & 5.

2. By this petition, the petitioner has sought for quashing of the proceeding of the G.R. Case No.107(A) of 2023 under section 279/337/338/427/304A IPC pending in the Court of Judicial Magistrate First Class at Shillong on the basis of a compromise/settlement deed dated 03.07.2025 executed between the petitioner and the private respondent Nos. 3, 4 & 5.

3. The brief fact of the case is that on 29.01.2023, an FIR was lodged before the Officer-in-Charge Mawryngkneng Police Station by the respondent No.2, a police officer attached to the Mawryngkneng PS, to the effect that on 28.01.2023 one vehicle bearing Registration No.ML 05 X 4880 (Magnite) driven by the petitioner while proceeding towards Jaintia Hills from Shillong, on reaching near petrol pump at Puriang, met with an accident with a truck bearing Registration No. ML 10 C 8097. As a result of the accident, two occupants of the Magnite vehicle namely Heinidamon Pohlong and Momti Dhar died on the spot. In addition, four persons including the petitioner, received injuries and were initially shifted to Mawryngkneng CHC and subsequently to Supercare and NEIGRIHMS hospital for medical treatment.

4. On the basis of the FIR dated 29.01.2023, the



Mawryngkneng P.S. Case No.02(01) of 2023 u/s 279/337/338/427/304A IPC was registered and an investigation was launched in the matter. Upon completion of the investigation, a charge-sheet bearing No.14/2023 dated 31.10.2023 was forwarded to the Court of the Additional Deputy Commissioner (Judicial), Shillong and a regular case being G.R. Case No.107(A) of 2023 was initiated against the petitioner u/s 279/337/338/427/304A IPC which is now pending trial before the Court of Judicial Magistrate First Class at Shillong. During the pendency of the trial, the petitioner and the respondent No.3 i.e. wife of (L) Heinidamon Pohlong; the respondent No.4, husband of (L) Momti Dhar and the respondent No.5, an injured victim of the aforesaid accident, have entered into a compromise and settled the matter amicably vide a deed of compromise/settlement dated 03.07.2025. Since sections 279 and 304A IPC are non-compoundable offences, the petitioner has approached this Court seeking quashing of the G.R. Case No.107(A) of 2023 on the basis of the aforesaid compromise.

5. Mr. S. Pandit, learned counsel appearing for the petitioner submits that right from the date of the unfortunate accident, the respondent Nos.3, 4 & 5 have no grievance against the petitioner as the accident was purely unintentional without any fault on the part of the petitioner and all of them have continued to maintain their cordial relationship as it was before. He submits that the petitioner has shown great remorse after the accident and till date has been suffering from mental trauma. The learned counsel further submits that the offences involved are private in nature having no bearing



on the law and order of the State and there is no involvement of any public element in this matter. He submits that the accident was an unfortunate incident without any fault or intention of any of the parties involved therein and, hence, for ends of justice, the criminal proceeding initiated against the petitioner needs to be closed. The learned counsel submits that since the parties have voluntarily settled the matter, no real purpose will be served by allowing the criminal proceeding to continue before the Trial Court and prays for quashing of the same. In support of his submission, the learned counsel has placed reliance on the decision of this Court in *Crl.Petn. No.63 of 2024, Shri. Wisterly Mawrie Vs. State of Meghalaya & ors* wherein in the similar facts and circumstances of the present case, the criminal proceeding pending before the Trial Court was quashed in the light of the order dated 16.03.2021 passed in *Crl.Petn. No.11 of 2021* and order dated 01.10.2021 passed in *Crl.Petn. No.34 of 2021*.

6. Mr. R. Gurung, learned GA appearing for the State-respondent Nos. 1 – 2 expressed his reservation as to prayer for quashing of the criminal case on the basis of the compromise between the petitioner and the private respondents. However, being aware of the fact that this Court had earlier allowed quashing of the criminal proceeding in similar cases, submits that discretion of this Court may be applied and necessary order be passed in the matter.

7. Ms. N. Chyrmang, learned counsel appearing for the respondent Nos. 3, 4 & 5 supports the submissions made on behalf of the petitioner and also acknowledges that a compromise has indeed been arrived at between the petitioner and the respondent



Nos. 3, 4 & 5. She submits that the said respondents have voluntarily decided not to pursue the matter anymore before the criminal court.

8. From the submissions made by the learned counsels appearing for the parties and on perusal of materials on record, it appears that after the accident on 28.01.2023 resulting in loss of two lives, the FIR dated 29.01.2023 was lodged by the respondent No.2, basing on which the Mawryngkneng P.S. Case No.02(01) of 2023 was registered. On completion of the investigation, the matter was charge-sheeted and forwarded for trial. It is apparent that during the pendency of the trial, the parties involved i.e. the petitioner and the respondent Nos. 3, 4 & 5 have compromised the matter voluntarily out of their own free will and decided not to pursue the criminal case pending before the Trial Court. Thus, there appears to be no doubt insofar as the settlement/compromise of the matter is concerned.

9. In the decision of *Shri. Wisterly Mawrie (supra)* relied on by the learned counsel for the petitioner, this Court had allowed quashing of a proceeding under sections 279/337/338/427/304A IPC on the basis of the compromise/settlement between the parties involved therein. There is no dispute between the parties before this Court that the facts and situations involved in the present case is similar and identical to the facts and situations involved in the case of *Shri. Wisterly Mawrie (supra)*. Hence, this Court finds no reason to decline the prayer made by the petitioner.

10. Resultantly, the criminal petition succeeds. The further proceeding of G.R. Case No.107(A) of 2023 under sections



279/337/338/427/304A IPC pending in the Court of Judicial Magistrate First Class at Shillong is quashed.

11. The criminal petition stands allowed.

Judge

Meghalaya
21.11.2025
"*Shrity.PS*"

