GAHC040005242026

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

Case No. : Crl.Petn./93/2026

Smti Nikja Yabe @ Nikja Yana and 14 Ors
Wife of Shri Nikja Mama, resident of Lower Chimpu, PO RK Mission, PS Chimpu,
Papum Pare District, Arunachal Pradesh. 2: Yora Tagung
Age:
Occupation :
Son of Late Yora Dochu
resident of Nirjuli
PO and PS Nirjuli
Papum Pare District
Arunachal Pradesh.

3: Yura Arki
Age:
Occupation :
Son of Late Yura Loma
resident of Upper Borum
Village Banderdewa
PO and PS Banderdewa
Papum Pare District
Arunachal Pradesh.

4: Yura Anthony
Age:
Occupation :
Son of Late Yura Tashi
resident of Lobi Village
Itanagar
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh.

5: Yura Tachak
Age:

Occupation :
Son of Shri Yura Maji
resident of Niya Colony
Ganga
PO RK Mission
PS Itanagar
Papum Pare District
Arunachal Pradesh.

6: Smti Yura Yalu
Age:
Occupation :
Wife of Shri Yura Tachak
resident of C Sector
Itanagar
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh.

7: Smti Yura Yai
Age:
Occupation :
Daughter of Shri Yura Dochuk
resident of Lodokore
Palin
PO and PS Palin
Kra Daadi District
Arunachal Pradesh.

8: Yura Tatup
Age:
Occupation :
Son of Shri Yura Taha
resident of Near Presbyterian Church
Itanagar
PO and PS Itanagar
Papum Pare District
Arunachal Pradesh.

9: Yura Sangkio @ Takio
Age:
Occupation :
Son of Late Yura Koma
resident of Near RWD Colony
Karsingsa
PO and SP Banderewa
Papum Pare District
Arunachal Pradesh.

10: Smti Yura Yana
Age:
Occupation :
Wife of Shri Yura Talok
resident of Lodokore
Palin
PO and PS Palin
Kra Daadi District
Arunachal Pradesh.

11: Yura Talok
Age:
Occupation :
Son of Late Yura Tamin
resident of Lodokore
Palin
PO and SP Palin
Kra Daadi District
Arunachal Pradesh.

12: Smti Yura Maya
Age:
Occupation :
Wife of Shri Yura Take
resident of Lodokore
Palin
PO and PS Tali
Kra Daadi District
Arunachal Pradesh.

13: Smti Yura Yapak
Age:
Occupation :
Wife of Shri Yura Tana
resident of Lodokore
Palin
PO and PS Palin
Kra Daadi District
Arunachal Pradesh.

14: Smti Yura Yao
Age:
Occupation :
Wife of Shri Yura Rajen
resident of Lodokore
Palin
PO and PS Tali

Kra Daadi District
Arunachal Pradesh.

15: Yura Tariu
Age:
Occupation :
Son of Late Yura Koma
resident of Upper Dobam Colony
Karsingsa
PO and PS Banderdewa
Papum Pare District
Arunachal Pradesh

VERSUS

The State of AP
represented by the PP of AP

Advocate for the Petitioner : T Gameh, Tajum Gameh,M Ranka,B Tagia

Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG
ORDER

17.08.2026

Heard Mr. T. Gameh, learned counsel for the petitioners. Also heard Mr. T. Ete, learned Additional Public Prosecutor for the State respondent.

2. This application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed jointly by petitioner No. 1 (the informant) and petitioner Nos. 2 to 15 (the accused), praying for quashing of FIR No. 132/2019, originally registered at Itanagar Police Station and presently under Niti Vihar Police Station, under Sections 448/435/380/34 of the IPC.

3. The brief facts leading to the filing of the present petition are that the informant/present petitioner lodged the FIR against the accused, arising out of

an incident that occurred in the year 2019 during the local election, wherein, due to political rivalry, misunderstanding, and sudden provocation, disputes arose between the parties. It is submitted that the allegations made in the FIR were the result of momentary tension and strained relations between the informant and the alleged accused on the fit of anger, and not on account of any deliberate, grave, or premeditated criminal intent.

4. Subsequently, with the intervention of the community-based organizations, namely, Gumsing Masang Society (GMS) and Kiogi Welfare Society (KWS), the parties amicably resolved their disputes through mediation. A settlement deed dated 15.06.2021 was executed between the parties. However, due to the non-availability of the original settlement deed dated 15.06.2021, the parties, in order to formally place the settlement on record and to avoid any future dispute, executed a fresh Deed of Confirmation and Compromise dated 04.04.2026, whereby they affirmed and ratified the earlier settlement and declared that all disputes arising out of the aforesaid FIR have been amicably and finally resolved and that no grievance survived between them.

5. The said deed was executed voluntarily and without any coercion. Petitioner No. 1/informant also executed a sworn affidavit dated 04.04.2026, stating that the FIR was lodged due to misunderstanding and personal differences, that the dispute was purely private in nature, and that the matter had since been amicably settled. It was further stated that no grievance survived and that she had no objection if the FIR was quashed. In this regard, the husband of petitioner No. 1 also issued a No Objection Certificate supporting the amicable settlement arrived at between the parties and affirming that no grievance survived in respect of the subject matter of the FIR and that he had no objection to the quashing thereof.

6. In view of the aforesaid facts and circumstances, the learned counsel for the petitioners submits that, since the matter has been amicably settled and the possibility of conviction is remote and bleak, the proceedings against petitioner Nos. 2 to 15 may quashed by invoking the powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Mr. Ete, learned Additional Public Prosecutor, fairly submits that, as the matter has been amicably settled between the parties by executing a fresh Deed of Confirmation and Compromise dated 04.04.2026, supported by a No Objection Certificate issued by the husband of petitioner No. 1, and in view of the fact that petitioner No. 1 had lodged the FIR due to misunderstanding and, upon realizing the facts, subsequently filed an application for withdrawal of the same, and further that the investigation in the case could not progress any further, and also considering that the informant/petitioner No. 1 has no further grievance and does not wish to pursue the matter, she has no objection if the prayer made by the petitioners is allowed.

8. I have heard the learned counsel for the petitioners and the learned Additional Public Prosecutor and have also perused the materials available on record.

9. The present case arose due to the local election held in the year 2019, and, owing to political rivalry, the present petitioner No. 1/informant lodged the FIR against petitioner Nos. 2 to 15. Thereafter, the matter was resolved between the parties with the intervention of community-based organizations, namely, Gumsing Masang Society (GMS) and Kiogi Welfare Society (KWS). Further, petitioner No. 1/informant has categorically stated that she has no further grievance against petitioner Nos. 2 to 15 and does not wish to pursue the prosecution any further.

10. Having regard to the nature of the dispute, the settlement arrived at between the parties, and the fact that the dispute arose due to some misunderstanding and is essentially personal in nature, without any adverse impact on society at large, and also considering the fact that the informant subsequently submitted a representation seeking withdrawal of the FIR, whereafter the investigation did not progress further, this Court is of the considered view that the possibility of securing a conviction against petitioner Nos. 2 to 15 is remote and bleak. In such circumstances, continuation of the criminal proceedings/investigation would serve no useful purpose and would amount to an abuse of the process of law.

11. The Hon'ble Supreme Court in the case of ***State of Madhya Pradesh Vs. Laxmi Narayan and Ors.*** reported in (2019) 5 SCC 688 held that the High Court in exercise of power under 482 of the Code can quashed the criminal proceeding even for non-compoundable offences which are private in nature and do not have serious impact on society on the ground that there is settlement/compromise between the victim and the offender.

12. In light of the principle laid down by the Hon'ble Supreme Court in ***Gian Singh v. State of Punjab***, reported in[(2012) 10 SCC 303], ***Narinder Singh v. State of Punjab*** reported in[(2014) 6 SCC 466], as well as the ***State of Madhya Pradesh v. Laxmi Narayan*** (supra), where the Apex Court has permitted quashing of proceedings even in non-compoundable offence in cases involved in private disputes which do not affect the society at large, this Court is of the opinion that this is a fit case, where inherent power under Section 482 of Cr.P.C/Section 528 of BNSS, should be exercised to secure the ends of justice.

13. Accordingly, the proceedings arising out of FIR No. 132/2019, registered under the jurisdiction of Niti Vihar Police Station under Sections 448/435/380/34

of the IPC, against the accused, namely, **Shri Yora Tagung** (petitioner No. 2); **Shri Yura Arki** (petitioner No. 3); **Shri Yura Anthony** (petitioner No. 4); **Shri Yura Tachak** (petitioner No. 5); **Smti. Yura Yalu** (petitioner No. 6); **Smti. Yura Yai** (petitioner No. 7); **Shri. Yura Tatup** (petitioner No. 8); **Shri Yura Sangkio @ Takio** (petitioner No. 9); **Smti. Yura Yana** (petitioner No. 10); **Shri Yura Talok** (petitioner No. 11); **Smti. Yura Maya** (petitioner No. 12); **Smti. Yura Yapak** (petitioner No. 13); **Smti. Yura Yao** (petitioner No. 14); and **Shri Yura Tariu** (petitioner No. 15), are hereby quashed in the interest of justice.

14. With the above, this petition stands disposed of.

JUDGE

Sabnam Mepo (SPA)