



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

Case No. : Crl. Pet./2/2025

MR. SHANGNYEI PHOM
R/O SHAMKANG WARD
LONGLENG, NAGALANMD

VERSUS

STATE OF NAGALAND AND 2 ORS
NAGALAND KOHIMA 2:DONALD EZUNG
ASI P.S.
LONGLENG NAGALAND

3:SHRI SHINGNYEI @ M. SHINGNYEI PHOM
(BIOLOGICAL BROTHER OF THE VICTIM)
RESIDENT OF HUKPHANG VILLAGE
LONGLENG NAGALAN

For the petitioner (s) : Mr. M. Solo, Advocate

For the respondent (s) : Mr. K. Angami, Govt. Advocate
Mr. Kiroba, Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

07.04.2025

Heard Mr. M. Solo, the learned counsel appearing on
behalf of the petitioner and Mr. K. Angami, the learned

Government Advocate appearing on behalf of the respondent Nos.1 & 2 as well as Mr. Kiroba, the learned counsel appearing on behalf of the respondent No.3.

2. This is an application filed invoking the inherent jurisdiction of this Court under Section 528 read with Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying for quashing and setting aside the FIR dated 13.12.2021 on the basis of a Compromise Deed entered into by and between the petitioner and the respondent No.3.

3. This Court finds it very pertinent to take note of the contents of the FIR wherein it has been alleged that the petitioner herein had accidentally shot one woman of Hukphang Village during hunting and the person who was shot succumbed to the injuries and expired. On the basis of a compromise entered into between the petitioner as well as the brother of the deceased dated 26.10.2024, the present proceedings have been filed for quashing of the FIR as well as the further proceedings in connection thereto.

4. In the opinion of this Court, the offence which has been alleged is an offence under Section 304 IPC read with Section 25 (1b) (a) of the Arms Act and the offence being serious in nature, the question of quashing of the said offence does not arise.

5. Considering the above, this Court finds no merits in the instant petition for which the petition stands dismissed.

JUDGE

Comparing Assistant