GAHC020005372025

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

Case No. : Crl. Pet./28/2025

SMTI. NUNGSHITULA AND ANR
R/O MAJAKONG WARD, MOKOKCHUNG, NAGALAND 2: MRS. ASANG (VICTIMS GRANDMOTHER)
W/O SHRI THUNGPANG
H/NO. 09
LAIKET LAMBOU COLONY
ST. JOHN A WARD
TUENSAN

VERSUS

STATE OF NAGALAND
NAGALAND KOHIMA

Advocate for the Petitioner : MOA JAMIR,

Advocate for the Respondent : P.P, NAGALAND,

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 11-09-2025

The present petition has been filed under section 528 of the BNSS for quashing of the FIR dated 10.06.2024 and sub-sequent proceedings against the petitioner No.1 in MKG WPS C/No.03/2024 r/w section323/324 IPC r/w section 75 JJ Act, cor-

responding to G.R 38/24 wherein FIR was lodged by the petitioner No.2/victim's grandmother against the petitioner No.1 alleging that the petitioner No.1 has physically assaulted the victim who has been living with her at Mokokchung for past 6 years.

2. I have heard the learned counsel for the petitioner Mr. Y. Humtsoe and Ms. Livika, learned P.P for the State respondents.

3. The submission of the learned counsel for the petitioner is that during the pendency of the criminal proceedings, the accused, informant and the victim entered into agreement therefore deciding to compromise amongst themselves. The informant is the grandmother of the victim who has been alleged to have suffered beating at the hand of the accused while she was staying with the accused.

4. On 22.08.2025, this Court had directed the accused and the informant to appear before the Court of JMFC Mokokchung within a period of one month whereupon, the learned JMFC Mokokchung was directed to record their statements regarding the compromise deed and submit a report to this Court.

5. In compliance to the order dated 22.08.2025, the CJM/JMFC Mokokchung has submitted a report wherein it is stated that the Court had recorded the statements of the accused and the informant and the original compromise deed dated 28.04.2025 has also been furnished before the Court. The complainant in her deposition/statement deposed before the Court that the victim's parents have forgiven the accused and

does not wish to proceed with the trial and has no objection if the accused is acquitted.

6. The statement of the accused and the informnant have also been perused. The complainant in her statement has stated that both the complainant and the accused have reached an amicable settlement and the informant has forgiven the accused and they have also entered into compromise deed dated 28.04.2025. It is stated that the complainant is the grandmother of the victim and she has stated that the victim parents as well as herself have forgiven the accused and they do not wish to proceed with the trial.

7. In the facts and circumstances as stated above, the present petition is allowed and the impugned FIR dated 10.06.2024 and the subsequent criminal proceeding in GR No.38/24 corresponding to MKG WPS C/No.03/2024 is hereby quashed and set aside as the continuance of the proceeding would be a futile exercise in view of the compromise.

Sd/-
JUDGE

Comparing Assistant