GAHC040016992026

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

**Case No. : Crl.Petn./327/2026**

Harung Tania @ Dora Tania and Anr
Son of Late Harung Rank, resident of Loth Village, PO Raka, Keyi Panyor District, Arunachal Pradesh 791120 2: Miss Dulley Nampi
Age:
Occupation :
Daughter of Shri Dulley Hapu
resident of Siibey Village
PO Ziro
Lower Subansiri District
Arunachal Pradesh 79112

VERSUS

The State of AP
represented by the PP of AP

**Advocate for the Petitioner** : Subu Koyang, Kago Taja,Ugin Puri,Chiging Habung

**Advocate for the Respondent** : P P of AP,

**BEFORE**
**HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER**

**ORDER**

**02.11.2026**

Heard Mr. K. Taja, learned counsel for the petitioners and Ms. L. Hage, learned Addl. PP for the State of Arunachal Pradesh.

**2.** This is a joint petition under Section 528 of the BNSS, 2023 praying for quashing the proceedings of G.R. 33/2024 arising out of Ziro P.S. Case No. 14/2024 under Section 279/338 of the Indian Penal Code read with Section 181 of the Motor Vehicles Act on the basis of amicable settlement arrived at between the victim and the accused person.

**3.** The facts leading to filing of the instant petition is that a Motor Vehicle accident took place at Siibe Village in the evening of 17.05.2024 in which Miss Dulley Nampi/petitioner No. 2 sustained injuries. The brother of the victim Mr. Dulley Yubey filed an FIR before the Ziro Police Station which was registered as Ziro P.S. Case No. 17/2024 under Section 279/338 of the Indian Penal Code read with Section 181 of the Motor Vehicle Act and it was subsequently registered as GR-33/2024. Thereafter, the investigation progressed and the Charge Sheet was submitted against the accused person and the case is pending trial before the Court of learned CJM, Lower Subansiri District, Ziro. During the pendency of the case, the family members of the victim and the accused person being known to each other and maintaining good relation for a considerable period of time decided to settle the matter outside the Court and consequently, the victim and the accused person entered into a settlement agreement on 21.07.2024.

**4.** By entering into the settlement agreement, the victim and the accused person have stated that the informant, victim and the accused person are well known to each other. Their family

members have been maintaining good relation for a considerable period of time and that considering their acquaintance and the cordial relationship between their family members, the informant, victim and the accused person hereby settles the matter amicably outside the Court once for all. The settlement agreement also states that the informant and the victim have agreed to take necessary steps to compound the GR.33/2024 arising out of ZIro P.S. Case No. 14/2024 before the Court at the earliest. It is also stated in the settlement agreement that the agreement have been entered voluntarily and with free consent without pressure from any side.

**5.** The learned counsel relying on the above mentioned settlement agreement submits that in view of the said voluntarily settlement between the parties, continuance of the criminal proceedings would serve no purpose and would result in unnecessary prolongation of the litigation. It is also submitted that the dispute is purely personal in nature and does not involve any offence of a heinous or serious offence having impact upon the society. Therefore, the learned counsel for the petitioners prays for quashing criminal proceeding of G.R. 33/2024.

**6.** The learned Addl. PP Ms. L. Hage in her usual fairness submits that the matter can be disposed of inasmuch as the sections charged against the accused person are compoundable except for Section 279 of the Indian Penal Code.

**7.** This Court has duly considered the submissions of the learned

counsel for the parties and also perused the pleadings as well as the Trial Court Record. This Court has also ascertained from the affidavit annexed with the petition that the victim, namely, Miss Dulley Nampi is the petitioner No. 2 in the instant case and her signature is also obtained in the affidavit at Serial No. 2 of the deponent list.

**8.** This Court has also duly examined the agreement dated 21.07.2024 which is executed between the accused, the victim and the informant. The above settlement agreement also clearly shows that the parties are known to each other for a considerable period of time and their family members have been maintaining cordial relationship. This Court has also observed that the settlement has been arrived at voluntarily and without any coercion.

**9.** The Hon'ble Supreme Court in the case of **Gian Singh-vs-State of Punjab; reported in (2012) 10 SCC 303** has held that the High Court has inherent power to quash criminal proceedings even in respect of non-compoundable offences, where the parties have settled their disputes and where the dispute is predominantly private or civil in nature.

**10.** In view of the facts and circumstances as stated above and in view of the fact that no useful purpose would be served by continuing with the trial as it would not end in a conviction. The instant petition is allowed. Consequently, the FIR dated 17.05.2024 in connection with GR. 33/2024 and also the consequent proceeding

of GR. 33/2024 pending before the CJM, Lower Subansiri District, Ziro is set aside and quashed.

In terms of the above, this Criminal Petition stands disposed of, as allowed.

**JUDGE**

**Comparing Assistant**