GAHC040014412026

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

Case No. : Crl.Petn./263/2026

Prem Yangfo Son of Apo Yangfo, permanent resident of Yangfo Village, PO and PS Chayang Tajo, East Kameng District, Arunachal Pradesh.

2: Smti Meko Yangfo Wife of Shri Prem Yangfo
permanent resident of Yangfo Village PO and PS Chayang Tajo
East Kameng District Arunachal Pradesh.

3: Namkam Bagang Son of Late Lungpo Bagang
permanent resident of Jayang Bagang Village
PO and PS Chayang Tajo East Kameng District Arunachal Pradesh.

4: Sunil Yangfo Son of Late Kongo Yangfo
permanent resident of Yangfo Village PO and PS Chayang Tajo
East Kameng District Arunachal Pradesh.

5: Ms Lipi Nguri Daughter of Kili Nguri permanent resident of Nguri Village
PO Puchigeko PS Raga Kamle District Arunachal Pradesh.

6: Limo Nguri Son of Kili Nguri permanent resident of Nguri Village
PO Puchigeko PS Raga Kamle District Arunachal Pradesh.

7: Miss Api Rangmo Daughter of Maila Rangmo permanent resident of Bana Camp
PO Bana PS Seppa East Kameng District Arunachal Pradesh

VERSUS

The State of AP represented by the PP of AP

Advocate for the Petitioner : Taya Don, N Rebe,Himat Richo
Advocate for the Respondent : P P of AP,

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 02.09.2026

Heard Mr. Taya Don, learned counsel for the petitioners. Also heard Mr. Token Ete, learned Addl. Public Prosecutor, Arunachal Pradesh.

2. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been jointly filed by the accused persons, the complainant and the victims, praying for quashing and setting aside of G.R. No. 34/2026 arising out of Seppa Women P.S. Case No. 07/2026 under Sections 329(4)/79/74/ 115(2)/351(2)/127(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of the learned Chief Judicial Magistrate, Seppa.

3. The petitioner No. 1/Shri Prem Yangfo; petitioner No. 2/Smti. Meko Yangfo; petitioner No. 3/Shri Namkam Bagang; and petitioner No. 4/Shri Sunil Yangfo; are the accused persons whereas the petitioner No. 5/Ms. Lipi Nguri, is the complainant as well as the victim; and the petitioner Nos. 6 & 7/Shri Limo Nguri and Ms. Api Rangmo, are also the victims in the aforesaid G.R. No. 34/2026 arising out of Seppa Women P.S. Case No. 07/2026.

4. The case of the petitioners leading to filing of this criminal petition is that on 23.02.2026, the petitioner No. 5 lodged a written First Information Report(FIR) before the Officer-in-Charge, Women Police Station, Seppa, inter alia, alleging against the accused/petitioner Nos. 1, 2, 3 & 4, for physical assault, criminal intimidation, wrongful confinement, illegal search, snatching of property, abduction and making false allegations, based on which the aforesaid police case was registered. Upon completion of the investigation, the investigating officer of the case, having found *prima facie* materials against the accused, filed the

charge-sheet against all the accused persons i.e. petitioner Nos. 1, 2, 3 & 4, for offence punishable under Sections 329(4)/79/74/115(2)/ 351(2)/127(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023, vide Charge Sheet No. 06/2026 dated 30.03.2026. The learned Magistrate, Seppa, took cognizance of the case and now, the same is pending trial in the Court of learned Chief Judicial Magistrate, Seppa, at the stage of evidence.

5. The learned counsel for the petitioners submits that during the pendency of the case, all the parties have amicably settled their dispute by executing a settlement agreement dated 13.07.2026, wherein, it is stated that the dispute has arisen out of a lost mobile phone handset of the accused/petitioner No. 1 and as the same was found in the possession of the complainant/victim/petitioner No. 5 and due to serious misunderstanding between the parties, the incident took place on 23.02.2026 leading to lodging of the First Information Report(FIR) and subsequent filing of the charge-sheet against the accused persons/petitioner Nos. 1, 2, 3 & 4. The agreement further stated that the dispute has been amicably resolved between the parties and as the complainant/victims i.e. petitioner Nos. 5, 6 & 7 have categorically stated that they do not have any further grievance against the accused/petitioner Nos. 1, 2, 3 & 4, they do not wish to pursue the matter any further. The complainant/victims i.e. petitioner Nos. 5, 6 & 7 further undertakes to cooperate for filing of the instant criminal petition before this Court for quashing of the proceeding.

6. The learned counsel for the petitioners further submits that since the matter has amicably been resolved between the parties, the complainant/victims i.e. petitioner Nos. 5, 6 & 7 have no further grievance against the accused/ petitioner Nos. 1, 2, 3, & 4; there is no scope of conviction in the case and as such, the further proceeding of the case would be a futile exercise and it would only cause harassment to the parties, therefore, the learned counsel for the

petitioners prays for quashing and setting aside of G.R. No. 34/2026 arising out of Seppa Women P.S. Case No. 07/2026 under Sections 329(4)/79/74/115(2)/ 351(2)/127(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of the learned Chief Judicial Magistrate, Seppa.

7. Mr. Ete, learned Addl. Public Prosecutor, Arunachal Pradesh, fairly submits that as the matter has amicably been settled between the complainant/victims i.e. petitioner Nos. 5, 6 & 7 and the accused/petitioner Nos. 1, 2, 3 & 4, and the allegations in the First Information Report(FIR) itself indicates that the matter arose out of a private dispute between them, and also taking into account that a settlement agreement, dated 13.07.2026, has been executed between the parties, wherein, the complainant/victims i.e. petitioner Nos. 5, 6 & 7 have stated that they have no further grievance against the accused/petitioner Nos. 1, 2, 3 & 4, and do not wish to pursue with the matter any further; he has no objection if the prayer of the petitioners is allowed.

8. I have heard the submissions advanced by the learned counsels for the parties.

9. It appears that the dispute arose between the parties because of a domestic issue and some misunderstanding amongst the parties resulting in lodging of the aforesaid police case by the complainant/petitioner No. 5 against the accused/petitioner Nos. 1, 2, 3 & 4. It also appears that the matter has amicably been settled between the parties by formally executing a settlement agreement on 13.07.2026, wherein, the complainant/victims i.e. petitioner Nos. 5, 6 & 7 have clearly expressed that they have no further grievance against the accused/petitioner Nos. 1, 2, 3 & 4, and do not wish to pursue the matter any further. Under the circumstances, it appears that the dispute is purely personal in

nature and has arisen out of a domestic issue amongst the complainant/victims i.e. petitioner Nos. 5, 6 & 7, and the accused/petitioner Nos. 1, 2, 3 & 4. It further appears that the dispute does not affect the society at large. Given the facts and circumstances of the case, there appears to have been only a remote possibility of conviction and thus, if the proceeding is allowed to be continued; it would only cause harassment to the parties which would rather amount to an abuse of the process of law.

10. The Hon'ble Supreme Court in the case of ***State of Madhya Pradesh v. Laxmi Narayan & ors.,*** reported in ***(2019) 5 SCC 688*** held that the High Court in exercise of inherent power conferred under Section 482 of the Code of Criminal Procedure, 1973, can quash the criminal proceedings even for non-compoundable offences which are private in nature and do no have serious impact on society on the ground that there is a settlement/compromise between the victim and the offender.

11. In the light of the principle laid down by the Hon'ble Supreme Court in the case of ***Gian Singh v. State of Punjab & anr***., reported in ***(2012) 10 SCC 303***; ***Narinder Singh & ors. v. State of Punjab & anr***., reported in ***(2014) 6 SCC 466***, as well as in the case of ***Laxmi Narayan*** (supra), wherein the Court has permitted quashing of the 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 the Code of Criminal Procedure, 1973/528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, should be exercised to secure the ends of justice.

12. Accordingly, the proceedings in G.R. No. 34/2026 arising out of Seppa Women P.S. Case No. 07/2026 under Sections 329(4)/79/74/115(2)/351(2)/

127(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of the learned Chief Judicial Magistrate, Seppa, against the petitioner Nos. 1, 2, 3 and 4, namely, Shri Prem Yangfo, Smti. Meko Yangfo, Shri Namkam Bagang, and Shri Sunil Yangfo, are hereby quashed.

13. In terms of the above, the instant joint petition filed by the petitioners under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, stands allowed and disposed of.

JUDGE

Bikashkonwar, Private Secretary

Comparing Assistant