

(2023) 09 SIK CK 0004

In the Sikkim High Court

Case No : Criminal Miscellaneous Case No. 7 Of 2023

Baba Sunil Chettri & Others

APPELLANT

Vs

State Of Sikkim

RESPONDENT

Date of Decision : 04-09-2023

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 34, 380

Citation : (2023) 09 SIK CK 0004

Hon'ble Judges : Bhaskar Raj Pradhan, J

Bench : Single Bench

Advocate : Anirudh Gupta, Yadev Sharma, Sujan Sunwar

Final Decision : Disposed Of

Judgement

Bhaskar Raj Pradhan, J

1. This is an application under section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR bearing No. 0203/2022 dated 03.12.2022 before the Sadar Police Station and proceedings of G.R. Case No. 53 of 2023 (State of Sikkim vs. Bishal Tamang) in the Court of the learned Chief Judicial Magistrate, East Sikkim at Gangtok and JJB Inquiry No. 04 of 2023 (State of Sikkim vs. Juvenile Prajal Shrestha) in the Juvenile Justice Board, Gangtok, Sikkim, against the petitioners no.2 and 3.

2. The facts reveal that an FIR was registered against the petitioners no.2 and 3, and pursuant thereto charge was framed under section 380/34 of the Indian Penal Code, 1860.

3. The present petition is based on a compromise entered on 26.8.2023 between the petitioner no.1 - the complainant who is also personally present, petitioner no.2 and petitioner no.3. The compromise agreement reflects that the complainant, i.e., the petitioner no.1, has compromised the matter with the petitioners no.2 and 3 and the money involved has also been returned.

4. Considering the above facts, this Court is of the view that no useful purpose would be served to allow the criminal case and the inquiry to go on further. The compromise is accepted. The proceedings are quashed as also the FIR.

5. Accordingly, Crl. M.C. No.7 of 2023 stands disposed.