



THE HIGH COURT OF SIKKIM : GANGTOK
(Criminal Jurisdiction)

SINGLE BENCH: THE HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDGE

Crl. M.C. No. 7 of 2023

1.

Shri Shri Baba Sunil Chettri,
Son of Lt. K.B. Chettri,
Aged about 52 years,
Resident of Bojoghari,
Gangtok, Sikkim - 737102
2.

Shri Bishal Tamang,
Son of Bijay Tamang,
Aged about 23 years,
Resident of Bojoghari,
Gangtok, Sikkim – 737102
3.

Master Prajal Shrestha,
Son of Raju Shrestha,
Aged about 14 years,
Resident of Bojoghari,
Gangtok, Sikkim – 737102
(Represented by his mother and natural Guardian Mrs. Kumari Shrestha)

..... Petitioners

versus

State of Sikkim

..... Respondent

**Application under section 482 of the Code of Criminal
Procedure, 1973**

Appearance:

Mr. Anirudh Gupta, Advocate for the petitioners.

Mr. Yadev Sharma, Additional Public Prosecutor with Mr. Sujan Sunwar, Assistant Public Prosecutor, for the State respondent.



ORDER (oral)

4th September, 2023

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



CRL. M.C. No. 7 of 2023
Shri Shri Baba Sunil Chettri & Ors. Vs. State of Sikkim

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.

(Bhaskar Raj Pradhan)
Judge

Approved for reporting : **Yes/No**
Internet : **Yes/No**

bp