

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

228

2024:PHHC:000222

CRM-M-56481-2023

Date of decision: January 4th, 2024

Tarun @ Monu Namberdar and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bhavdeep Singh Mamli, Advocate
for the petitioners.

Ms. Jasleen Chahal, Assistant Advocate General, Haryana.

Mr. Deepak Kumar, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioners are seeking quashing of FIR No.357 dated 24.10.2023 under Sections 341, 386, 392, 34 of the Indian Penal Code, 1860 and Section 25 (1-B) (a) of the Arms Act, registered at Police Station Sector 53, Gurugram, and the consequential proceedings arising out of the same, on the basis of compromise arrived at between the parties.

2. Vide order dated 08.11.2023 passed by a coordinate Bench of this Court, the parties had been directed to appear before the trial Court for getting their statements recorded with respect to the compromise arrived at between them. Report has since been received from the trial Court. As per the report received, the petitioners are men of criminal antecedents and are involved in 28 criminal cases, registered at different Police Stations.

3. The Hon'ble Apex Court in *Daxaben Versus State of Gujarat* | 2022 LiveLaw (SC) 642 has reiterated the position of law that

the Court, while adjudicating on prayer for quashing based on compromise, must take note of the criminal antecedents and conduct of the accused.

4. In the circumstances, this Court would loath to accept the prayer made for quashing of the FIR in question.

5. The instant petition, therefore, stands dismissed.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

January 4th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No