

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

(129)

CRM-M-39333-2015

Decided on: November 20, 2015.

Lovepreet Singh

.... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Ms. Neha Sonawane, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Petitioner seeks quashing of an FIR on the basis of compromise, which was registered at the instance of respondent No.2 Harpreet Singh.

Notice to Advocate General, Punjab.

On asking of the Court, Ms. Harpreet Kaur Athwal, DAG, Punjab, present in the Court, has accepted notice.

Mr. Shivam Grover, Advocate, for respondent No.2-complainant, has also put in appearance to admit that the matter has been compromised.

On asking of the Court, it has been informed that the challan has not been presented.

This petition is disposed of with a direction that in case the complainant approaches the investigating officer with supplementary statement, the said statement will be taken into consideration as the

statement voluntarily offered as per provisions of Section 163 (2) Cr.P.C. It will be open to the investigating agency to record the said supplementary statement and arrive at a conclusion whether the conduct of the petitioner would fall within the definition of trespass or lurking house trespass and it will be open to the prosecution agency to present the cancellation report. In case, any such report is submitted, the Illaqa Magistrate shall accept the same on no objection having been submitted by the complainant.

It is made clear that the right of any other affected party would not be prejudiced by above said exercise.

(M.M.S. BEDI)
JUDGE

November 20, 2015
harsha