

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

**CRM-M No. 14637of 2018
DATE OF DECISION :- April 16, 2018**

Amrik Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Som Nath Saini, Advocate for the petitioner.

The complainant had reported the matter to the police regarding the incident in which the accused had come to roof of his house forcibly and attacked him with deadly weapons causing injuries to him, the police had challned the accused for various offences but not under Section 452 IPC. Later on an application was moved by the prosecution for adding Section 452 IPC which was allowed by the trial Magistrate vide impugned order. The accused preferred a Revision Petition against that order which was dismissed by Additional Sessions Judge. Now they have approached this Court by way of filing petition under Section 482 Cr.P.C. The main contention of learned counsel for the petitioner is that offence under Section 452 IPC has been added after seven years of filing of challan and further the land where the house is situated is joint as has been held by the Civil Court. However, I find that merely because of the delay in filing the application,

the order directing adding Section 452 IPC cannot be set aside and further as regards the judgments given by the Civil Court that are with regard to the land and not residential house specifically. There is no illegality or infirmity in the order framing charge for offence under Section 452 IPC against the accused. I do not find any merit in the petition, therefore, the same stands dismissed.

(H.S. MADAAN)
JUDGE

April 16, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No