

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

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CRM-M-45109-2021 (O&M)

Date of decision : 17.12.2021

Raj Kumar @ Raju

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Yashpal Thakur, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

The petitioner has impugned the order dated 29.09.2021 passed by the trial Court whereby the application of the prosecution under Section 311 Cr.P.C. has been allowed and the site plan has been placed on record.

Learned counsel for the petitioner contends that the site plan had not been mentioned in the report under Section 173 Cr.P.C. and therefore, the prosecution has just tried to fill up the lacuna.

Heard.

It is apparent that in the report under Section 173 Cr.P.C., it was mentioned that the investigating officer had prepared the site plan during the investigation of the case. The site plan, however, could not be filed with the challan. It would be in the interest of justice if the site plan is taken on record as no prejudice would be caused to the petitioner. The petitioner will, of course, get adequate opportunity to cross-examine the investigating officer and other witnesses.

Consequently, I do not find any merit in this petition which stands dismissed.

**(ANUPINDER SINGH GREWAL)
JUDGE**

December 17, 2021

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No