

Commission of  
house-trespass is  
necessary after  
having made



**ASSIGN  
BUSTER**

Commission of house-trespass is necessary after having made preparation for causing hurt or for assaulting any person, or for wrongfully restraining anyone, or of putting someone in fear of hurt, or of assault, or of wrongful restraint. Where the accused went into a house with a forged warrant to arrest someone, and took away a person with him against his will, this section was held to apply. Where the accused inflicted a knife blow on one of the eye witnesses in her house to prevent her from going to the court, conviction under this section and section 324 was held to be good.

Sentences under this section could be reduced on the ground of young age, or old age, of the accused taking into consideration the facts and circumstances of the case. Where the accused were convicted under sections 147, 149 and 452 of the Code, the incident had happened twenty years ago and they had attained old age, the sentence was reduced to the period already undergone but the amount of fine imposed was increased so that the victims could be properly compensated. The offence under this section is cognizable, non-bailable and non-compoundable, and is triable by any magistrate.