

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.M.P. No. 894 of 2016

Pramod Nahak S/o Shri Vijay Nahak, aged about 30 years, R/o Jaisingh Nagar, Ward No.6, Sahdol (MP) at present resident of Godaripara, Chirmiri, PS Chirmiri, Tahsil Kharsiya, Civil & Revenue District Korea (CG)

... Petitioner

Versus

State of Chhattisgarh through District Magistrate, District Korea (C.G.)

... Respondent

For Petitioner	:	Shri Anchal Kharya, Advocate.
For Respondent-State	:	Shri O. P. Sahu, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22/08/2016

The present CrMP has been filed seeking for a slight modification in the order dated 29.07.2016 passed by this Court in Criminal Appeal No. 1439 of 2015.

2. This Court on 29.07.2016 while ordering for releasing the vehicle seized by the respondent on Supurdnama inadvertently Engine and Chassis numbers of the vehicle were wrongly written and therefore the seized vehicle which was ordered to be released could not be released by now.

3. Counsel for the petitioner submits that the actual Chassis number of the vehicle is MAT 601465 CWF 32311 and the Engine number is 14CRAIL 08 FXYW 23639 whereas inadvertently, while passing the order, this Court has referred the Chassis number as MT 601465 CWF 32111/14 and Engine number as CRAIL 08 FYLW 23639 and therefore, the vehicle could not be released leading to the filing of the present petition seeking for modification of the order dated 29.07.2016.

4. State counsel does not oppose the modification sought for, after scrutinizing the registration number of the vehicle in the Criminal Appeal.

5. On due consideration of the facts and circumstances of the case particularly taking note of the certificate of registration of the seized vehicle, this Court is of the opinion that a clerical error has crept in the order dated 29.07.2016 in as much as engine and chassis numbers of the vehicle have been wrongly written as CRAIL 08 FYLW 23639 in stead of 14CRAIL 08 FXYW 23639 and MT 601465 CWF 32111/14 in stead of MAT 601465 CWF 32311 respectively and therefore, the order dated 29.07.2016 needs to be modified to that extent. It is modified accordingly.

6. Thus, it is directed that engine and chassis numbers of the seized vehicle written in the order dated 29.07.2016 passed by this Court in Criminal Appeal 1439 of 2015 shall be read as under:

Engine No. 14CRAIL 08 FXYW 23639

Chassis No. MAT 601465 CWF 32311

7. The present CrMP is accordingly allowed.

8. This order shall also form part of the order passed in Criminal Appeal No. 1439/2015.

Sd/-
(P. Sam Koshy)
Judge