

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPP) NO.1415 OF 2017

IN

CRIMINAL APPLICATION (BA) NO.792 OF 2017

Pundlik Balkrushna Fiske

..vs..

The State of Maharashtra

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri Mir Nagman Ali, Counsel for the applicant.

Shri T.A. Mirza, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 28, 2017.

This Court on 21.8.2017 allowed an application for bail that is Criminal Application (BA) No.792 of 2017. In the said order it is stated that the applicant be released on bail in Crime No.31 of 2017 registered with Police Station Sarmaspura, Tahsil Achalpur, District Amravati.

Learned counsel Shri Mir Nagman Ali for the applicant moved this application for speaking to minutes by which it is stated that Crime No.39 of 2017 is wrongly typed as Crime No.31 of 2017. Therefore, he submits that necessary correction be made in order dated 21.8.2017.

It is a duty of an Advocate that before signing an

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application, contents of the application and prayer clauses are properly read and if there is any mistake, before filing of the application the same should be corrected. In mechanical manner, the application or the proceedings should not be filed since it causes prejudice not only to the litigants but also to the Registry.

In the present case, when the application for bail was filed, in the prayer clause itself the applicant prayed that he be released on bail in Crime No.31 of 2017. The application was allowed and accordingly the order was typed directing the applicant be released on bail in Crime No.31 of 2017, which shows that learned counsel for the applicant, who put his signature in the application for bail, has signed mechanically and without applying his mind.

This has caused unnecessary burden on the Registry. Therefore, though prayer made by the applicant can be considered favourably, there should be a costs for putting the entire High Court Machinery into action unnecessarily.

In that view of the matter, the application is allowed. In order passed in Criminal Application (BA) No.792 of 2017 on 21.8.2017, Crime No.31 of 2017 should be read as Crime No.39 of 2017 and to that effect necessary correction be made.

Learned counsel Shri Mir Nagman Ali for the

applicant to pay the costs of Rs.2,000/- with the High Court Legal Services Sub Committee at Nagpur and shall place the copy of receipt on record to point out to this Court about payment.

With this, the criminal application is disposed of.

JUDGE

!! BRW !!

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