

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

CRWP No.160-2017

Date of Decision:24.05.2017

Kuljit Singh

.....PETITIONER

V/S

State of Punjab and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: None for the petitioner.
Ms.Simsi Dhir, DAG, Punjab.

AMOL RATTAN SINGH J. (ORAL)

By this petition, the petitioner had sought that Manpreet Singh son of Ajaib Singh be released from custody, stated to be in the illegal custody of respondents No. 2 & 3, i.e. the Superintendent and Deputy Superintendent of the Central Jail, Patiala, on the ground that in the judgment pronounced, upon culmination of the trial in which Manpreet Singh was an accused along with others, the name of Manpreet Singh is not given as one of the convicted persons by the trial Court.

Thereafter, even in the order of sentence, specifically the name of Manpreet Singh was not given, though in respect of the offences punishable under Section

148 and Section 325 read with Sections 149 and Sections 341 and 506 of the IPC, it has been stated that all the convicts would undergo imprisonment for the various terms awarded by the trial Court in respect of each individual offence. As regards the offence punishable under Section 326 IPC, the petitioners' name is not seen in the order of sentence.

As already noticed by this Court in its earlier order, the judgment of the trial Court however also eventually states that the "prosecution has proved that the accused persons committed offences punishable under Sections 148, 326, 325, 341 and 506 read with Section 149 of the Indian Penal Code beyond all reasonable shadow of doubt". Thereafter, the name of Manpreet Singh was not given while naming all other accused, as those who had been found guilty of the commission of the offences punishable under Sections 148, 149, 326, 325, 341 and 506 of the Indian Penal Code.

Upon the report of the trial Court having been called for, that Court had submitted that it was inadvertent error. Now learned State counsel has produced another report of the trial Court, stating that on an application filed by the Additional Public Prosecutor, the original judgment, dated 04.01.2016, had been corrected to include the name of Manpreet Singh as a convict.

Keeping in view that there was an obvious typographical/clerical error in the original judgment, which has since been corrected, the petition is dismissed.

(AMOL RATTAN SINGH)
JUDGE

24.05.2017
KD/Anjal

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No