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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.REV.P. 280/2017

CHIRAG JAIN

..... Petitioner

Through: Mr. Jitender Kr. Jain, F/o Chirag Jain.
versus

MOHAN JAIN

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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19.07.2017

Matter has been listed today on the office noting.

Vide order dated 13th July, 2017, offence under Section 138 of the Negotiable Instruments Act, 1881 was permitted to be compounded and petitioner was acquitted. The order dated 13th July, 2017, passed by this Court, was sent to the Superintendent Jail, Tihar for compliance. However, petitioner has not been released from the jail. Superintendent Jail has informed that in the custody warrant, complaint case number has been mentioned as '48125/2016'; whereas, in the High Court order, complaint case number has been mentioned as '28125/2016'.

It is noted that in the order dated 13th July, 2017 of this Court, complaint case number has not been mentioned. It is the Registry which has mentioned the complaint number in its forwarding letter. Registry has also

mentioned appeal number as well as revision number in the said letter. I have also perused the trial court record. In the judgment of the trial court, complaint case number was initially typed as '28125/16', however, it was corrected by hand as '48125/16'. In the order on sentence, the complaint case number has been mentioned as '28125/16', however, in the orders dated 10/06/16, 01/07/16 and 22/04/17 complaint case number has been mentioned as '48125/16'. In the judgment of the trial court also, complaint case number has been mentioned as '48125/16'. It appears that complaint case no.28125/2016 and 48125/2016 represent the same case. Accordingly, Superintendent Jail shall release the petitioner-Chirag Jain forthwith in terms of the order dated 13th July, 2017. Copy of the order be sent to the Superintendent Jail through Special Messenger.

A.K. PATHAK, J.

JULY 19, 2017

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