

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 408 of 2018**

- Santosh Miri S/o Awadhram Miri Aged About 50 Years R/o Village Salheghori, P. S. Lormi, Civil And Revenue District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Incharge Of P. S. Lormi, Civil And Revenue District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Respondent

For Applicant : Mr. Pallav Mishra, Advocate.

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**09/03/2018**

1. Heard.
2. The petition under Section 482 of Cr.P.C. has been filed for correction in the order dated 5.2.2018 passed in M.Cr.C. No.7915/2017 wherein crime number has been mentioned as "471/2017" in place of "491/2017".
3. Perusal of case diary of Crime No.471/2017 requisitioned by the learned State Counsel shows that it relates to registration of offence under Sections 279 & 337 of IPC against some unknown persons, whereas the facts in the case diary of Crime No.491/17 shows that the offence has been registered under Sections 34(1)(A), 34(2) & 59 (K) of CG Excise Act against the present applicant. Although an error has been committed by the concerned Sessions Court as well in mentioning incorrect crime number in the order passed under Section 439 of

CrPC, but on comparing the case in the two crime numbers above mentioned, it is quite clear that the offence related to this case is with respect to Crime No.491/2017 registered against this applicant. In this view of the matter, the prayer made by the applicant deserves to be allowed.

4. Accordingly, it is ordered that Crime No.471/2017 mentioned in first paragraph of the order dated 5.2.2018 shall be read as '491/2017' registered at Police Station Lormi, Distirct Mungeli.
5. A copy of this order be made part of order dated 5.2.2018 passed in MCRC No.7915/2017.
6. Accordingly, the petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
JUDGE

Nisha