

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 2084 of 2018**

1. R.T. Ram Chandran S/o Late R.G. Thagrajan Aged About 70 Years
R/o 12/18 Ispat Nagar Risai Bhilai Nagar Police Station New Bhilai
District Durg Chhattisgarh., District : Durg, Chhattisgarh
2. S. Swaminathan S/o Late M. Subramanyam Iyer Aged About 54 Years
R/o Nehru Nagar (East) 12-A/7, Bhilai Tahsil And District Durg
Chhattisgarh., District : Durg, Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Police Station Bhilai Nagar District
Durg Chhattisgarh, District : Durg, Chhattisgarh
2. G.Raviraja S/o Late K.G. Achari Aged About 45 Years R/o Plot No.
143 Maitri Kunj Risai Bhilai Police Station Newai Tahsil And District
Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Respondents

For the Petitioners	:	Shri P.R. Patankar, Advocate.
For the Respondent/State	:	Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.10.2018**

Heard.

1. This petition has been brought under Section 482 of the Cr.P.C. for correction of typographical error committed in the order passed by this Court in M.Cr.C. No. 2882 of 2018 vide order dated 10.8.2018.

2. It is submitted by counsel for the petitioners that this Court had been pleased to consider the appearance of the applicants before this Court as their deemed custody and passed order in favour of the applicants under Section 439 of the Cr.P.C. accordingly, but due to typographical mistake it is mentioned in the first paragraph that the applicants had been arrested in

connection with the Complaint Case No. 2302 of 2017, which has an anomaly and the applicants were not arrested on any date mentioned apart from their appearance before the Court at the time of hearing. Hence, it is prayed that this typographical error be rectified.

3. Learned State counsel opposes the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. After going through the contents of the order dated 10.8.2018 in M.Cr.C. No. 2882 of 2018, it is apparent that the applicants were not in any detention and their custody was deemed only because of their presence in Court according to the principles laid down in this respect by the Superior Court. Hence, after due consideration, the petition is allowed.

6. It is ordered that in the second and third line of the first paragraph of order dated 10.8.2018 in M.Cr.C. No. 2882 of 2018, in place of the words “who have been arrested in connection with Complaint Case No. 2302 of 2017, registered at Police Station – Bhilai Nagar, District – Durg, Chhattisgarh”, it shall be read as “who have been considered to be in deemed custody in Complaint Case No. 2302 of 2017 pending before the Court of Judicial Magistrate First Class, Durg, Chhattisgarh”, hereinafter.

7. Accordingly, the petition is disposed off and a copy of this order shall be kept as part of the record in M.Cr.C. No. 2882 of 2018.

Sd/-

(Rajendra Chandra Singh Samant)
Judge