

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1062 OF 2017
IN
CRIMINAL APPLICATION NO.422 OF 2013**

Amitkumar Badrinath Gupta

... Applicant

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Imtiyaz Patel for the Applicant.

Mr. P.N. Dabhokar, APP for respondent No.1 State.

Mr. V.K. Singh, i/by Mr. Suraj Gaikwad for respective No.2.

CORAM : A.S.GADKARI, J.

DATE : 22nd JANUARY 2018

P.C.:

1. This is an application for modification of line no.4 on page no.2 appearing in Order dated 04.07.2013. The said sentence reads as under:-

“Both the counsel states that the parties are already divorced by mutual consent and custody of the child has been permanently given to respondent no.2.”

2. The learned Counsel for the applicant submitted that, as a matter of fact the custody of the said child has been permanently given to

applicant No.1 therein and it has been erroneously typed as respondent no.2. The learned Counsel for respondent No.2 fairly conceded to the facts situated therein.

3. In view thereof, the said sentence is modified and now reads as under:-

“Both the counsel states that the parties are already divorced by mutual consent and custody of the child has been permanently given to applicant No.1 i.e. Mr. Amitkumar Gupta”.

4. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)