

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

CRM-M-3210-2016 (O&M)

Date of decision:- 17.9.2018.

Geeta Joshi

.....Petitioner.

Versus

U.T. of Chandigarh and others

....Respondents.

CORAM: - HON'BLE MR. JUSTICE KULDIP SINGH.

Present: - Mr. Abhinav Gupta, Advocate and
Mr. Vinay Pandey, Advocate
for the petitioner.

Mr. J.S. Toor, U.T. Chandigarh.

Mr. Ashish K. Gupta, Advocate
for respondents No. 2 to 6.

....

KULDIP SINGH, J.

Heard.

This is a petition filed under Section 482 of the Code of Civil Procedure for quashing of the order dated 20.3.2016 (Annexure P-5) whereby an application for correction filed by respondents was allowed and application for pronouncement of conviction of respondents No. 2 to 6 was dismissed.

Respondents-accused in this case is facing trial under Sections 452, 323 read with Section 34 of the IPC and Section 506 of the IPC. When the charge sheet was framed their plea was recorded that they plead guilty and do not claim trial. As their conviction was to be recorded, they filed an application that their statements have been wrongly recorded. There is a typographical error in this case and that they did not plead guilty.

On the other hand complainant moved an application that their conviction should be recorded.

Learned trial Court held that there was a typographical error for recording the plea of each of the accused-respondents, therefore, allowed the respondents-accused to contest the trial.

I am of the view that trial Court came to a conclusion that there was a typographical error and the plea of the accused was wrongly recorded and revision against the same has already been dismissed. There is no ground to interfere in the impugned order dated 20.3.2015. At the most, respondents-accused will be tried by the trial Court and matter will be decided on merits. In any case, it is a valuable right of the respondents-accused to contest the trial and merely because of this technical reason, they cannot be convicted and sentenced.

Petition is dismissed accordingly.

17.9.2018
preeti

(KULDIP SINGH)
JUDGE

whether speaking/reasoned	yes
whether reportable	no