

HIGH COURT OF CHHATTISGARH, BILASPUR

Rev.P. No.99 of 2020

- Fateh Singh Bhatia S/o Late Ranjit Singh Aged About 55 Years R/o Barai Para, Police Station City Kotwali, Durg, District Durg Chhattisgarh

---- Petitioner

Versus

- Shailendra Kumar Tandi S/o Nityanand Tandi Aged About 55 Years R/o Qr. No. 13- A, Street No. 26, Sector 10, Bhilai, District Durg Chhattisgarh

---- Respondent

For Petitioner	–	Mr. M.P.S. Bhatia, Advocate.
For respondent	–	None.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-07-2020

Heard.

1. Registry has pointed out the default that the judgment impugned is the order in criminal revision for which no review petition can be filed as per the rule 140(9) of C.G. High Court Rules 2007. The counsel for applicant submits that the petitioner is before this Court only to seek clarification in the amount of compensation ordered in the impugned order and also seeking direction as there is no time limit fixed for making payment of the compensation because of which, the applicant will face difficulty in getting the order of compensation executed. Hence, it is prayed that an appropriate order be passed.
2. Considered on the submissions, no doubt a review petition is not maintainable in criminal matters. Section 362 of Cr.P.C. empowers the

Court to correct any clerical or arithmetic error.

3. In paragraph 18 of impugned order, this Court has held that the applicant has proved his entitlement in the cheque amount of Rs.2,50,000/-. Further, in paragraph 19, this Court has ordered enhancement in the compensation which has been awarded by the appellate Court in favour of the petitioner from Rs.2,52,000/- which was ordered by the appellate Court to Rs.2,72,000/-. The order is by itself clear and unambiguous which needs no clarification, therefore, there is no need of correction of any clerical or arithmetical mistake in this case.
4. Another request that has been made by the learned counsel for the applicant, if allowed, may amount to modification of the order already passed. Section 362 of Cr.P.C. clearly bars making any alteration and modification in the order already passed in any criminal matter. However, for the sake of convenience, it is made clear that when no time is specified for making any compliance, that shall fall in the category of reasonable time. The execution Court can make a decision as to what shall be the reasonable time, if any prayer is made before it with respect to the execution of the order. In case, this observation made in order exceeds the scope of Section 362 of Cr.P.C., then it may be considered as covered under the provision of Section 482 of Cr.P.C. With these observations made hereinabove, the review petition is disposed off.
5. Accordingly, this review petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge