

11.05.2022
Sl. 56
Court No.29
sourav

CRAN 1 of 2022
In
CRM 6162 of 2021

In Re: - An application for recalling the order.

And

In the matter of: **Chandan Mallick**

....petitioner.

Mr. Tanmay Basu

Mr. Manoj Adak

...for the petitioner.

Mr. Saswata Gopal Mukherji, Ld. PP

Mr. Saryati Datta

...for the State.

Petitioner prays for recalling the order dated December 1, 2021 passed in CRM 6162 of 2021.

Learned advocate appearing for the petitioner submits that there is a factual mistake noted in the order. The victim girl died on June 29, 2021 and not as recorded in the order dated December 1, 2021.

Learned advocate appearing for the State draws the attention of the Court to the provisions of Section 362 of the Criminal Procedure Code. He submits that the order does not contain any clerical or arithmetic error for correction.

The order dated December 1, 2021 speaks of the victim girl expiring subsequent to the order dated September 21, 2021. The same may or may not be a mistake of appreciation of the materials then placed on record. However, the same cannot be construed to be a clerical or arithmetical error coming within the purview of Section 362 of the Criminal Procedure Code.

Consequently, we are unable to grant any relief to the petitioner.

CRAN 1 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

