



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

**INTERIM APPLICATION NO. 2970 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO. 309 OF 2023**

Akhtar Hasan Rizvi

.Applicant

Vs.

The State of Maharashtra & anr.

.Respondents

Mr. Mahesh Mishra a/w. Mr. Zakir Basha, Advocate, for the Applicant

Mr. R. M. Pethe, APP, for Respondent No. 1 – State

Mr. B. L. Shinde, Police Inspector, Unit 5, GC-3, EOW, Mumbai present

CORAM : ANUJA PRABHUDESSAI, J.

DATE : 30.08.2023

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. Mentioned. Not on board. Taken on board.

2. The Applicant seeks to amend prayer clause in ABA No. 309 of 2023.

3. The Applicant has filed an Application under Section 438 of the Code of Criminal Procedure apprehending his arrest in C. R. No. 121 of 2022 registered with the Unit 5, GC-3, EOW, Mumbai.

4. Learned counsel for the Applicant states that the crime was initially registered with the Vakola Police Station under C. R. No. 786 of 2022. The said crime was subsequently transferred to the EOW and re-registered as C. R. No. 121 of 2022. He submits that due to inadvertence, C. R. No. 121 of 2022 was not mentioned in the prayer clause. As a consequence thereof, order dated 08.08.2023 refers only to C. R. No. 786 of 2022 of the Vakola Police Station.

5. The Applicant is only seeking rectification of the aforesaid error. Learned APP concedes that C. R. No. 786 of 2022 registered with the Vakola Police Station was subsequently transferred to the EOW and that the same was registered as C. R. No. 121 of 2022. Under the circumstances, the Application is allowed. The prayer clause (b) of the Application is allowed to be amended. Amendment to be carried out forthwith. Consequential amendments be carried out in paragraph Nos. 1 and 6(a) of the order dated 08.08.2023 by substituting C. R. No. 786 of 2022 registered with the Vakola Police Station with C. R. No. 121 of 2022 registered with the Unit 5, GC-3, EOW, Mumbai.

6. Necessary corrections be carried out accordingly.
7. The Application stands disposed of accordingly.

(ANUJA PRABHUDESSAI, J.)