

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
Interim Application No.4004 of 2023
In
Criminal Appeal No.1083 of 2012**

The State of Maharashtra ... Applicant
v/s.
Jagannath Laxman Mondkar ... Respondent

Mr R.M. Pethe, APP for the State.
Mr Darvesh Sawant i/b. Sanskar Marathe for respondent.

**CORAM : R.N.LADDHA, J.
DATE : 7 November 2023**

P.C. :

The present interim application is filed to amend the cause title of appeal No.1083 of 2012, which has been disposed of in terms of the judgment dated 4 October 2023 passed by this Court.

2. Mr RM Pethe, the learned APP appearing for the applicant, submits that at the time of the drafting of the appeal memo, a reference was inadvertently made to 'PI, Bhayander Police Station' instead of 'Superintendent of Police, Anti-Corruption Bureau, Sindhudurg' in the cause title of appeal No.1083 of 2012. He further submitted that in the record and proceedings, at all times, reference has always been made to the Superintendent of Police, Anti-Corruption Bureau, Sindhudurg, and no harm, injustice, or prejudice would be caused to the respondent

if the prayer of amendment is allowed.

3. Mr Devesh Sawant, the learned Counsel appearing for the respondent, has no objection and conceded to the submission of the learned APP to amend the cause title of the appeal.

4. Section 362 of the Code of Criminal Procedure, 1973 ('CrPC') prohibits the Court from altering or reviewing its judgment after its pronouncement. The only exception to this prohibition is for correction of a clerical or arithmetical error.

5. After perusing the material available on record, it is clear that the amendment of the cause title, as sought by the applicant, is a result of a clerical error and does not affect the merits of the case or alter any findings recorded in the judgment dated 4 October 2023. Even otherwise, the applicant/ appellant before this Court is the State of Maharashtra, and the amendment is only with respect to the correct police station.

6. In view of the foregoing, the interim application is made absolute in terms of prayer clause (a). The amendment shall be carried out within three weeks from the date of uploading of this Order.

R.N. LADDHA, J.