

105/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-6727-2023 in/and
CRM-M-52411-2022
DECIDED ON: 20.02.2023

PARMINDER KAUR @ VEENU APPLICANT-PETITIONER

VERSUS

STATE OF PUNJAB RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Deepak Malhotra, Advocate for the applicant-petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

CRM-6727-2023

Prayer in this application is for correction of the order dated 27.01.2023, wherein a typographical error had occurred in the concluding part mentioning the provision as Section 438(2) Cr.P.C., instead of Section 439 Cr.P.C.

Learned counsel for the applicant-petitioner has drawn attention of this Court to the fact that the learned counsel for the applicant-petitioner on 27.01.2023, made a reference to one CRM-M-47343-2022, wherein the petitioners were granted the concession of interim bail under Section 438(2) Cr.P.C., however, considering that order an error has kept in the order dated 27.01.2023, due to oversight as in the instant petition, the prayer is for regular bail but the same has been ordered to be as interim bail under Section 438(2) Cr.P.C.

Looking into the peculiar facts and the error, which has occurred due to bona fide mistake and oversight, needs to be corrected.

Be that as it may, having perused the main case file, it is evident that the prayer in the instant petition was made under Section 439 Cr.P.C., seeking regular bail in FIR No.182, dated 17.09.2022, under Sections 21, 29, 61 and 85 of the NDPS Act, 1985, registered at Police Station Mahilpur, District Hoshiarpur.

In the light of the aforesaid fact, the order dated 27.01.2023 is modified, wherein the last paragraph shall be read as:-

“In the light of the aforesaid facts and circumstances and the statement made by the learned State counsel, the petitioner is directed to be released on interim bail subject to the satisfaction of Arresting Officer/Investigating Officer on her joining the investigation as and when called for and cooperate in investigation and also shall abide by the conditions as envisaged under Section 439 Cr.P.C.”

In the light of the aforesaid order, the petition does not survive any further and not need to be adjourned to 16.03.2023, as was ordered in the previous order, the main petition is taken up today.

CRM-M-52411-2022

In the light of the aforesaid correction made in the order dated 27.01.2023, passed by this Court in the instant petition, is now stands disposed of in the aforesaid terms.

20.02.2023
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*