IN THE HIGH COURT OF MADHYA PRADESH AT GWALIOR

BEFORE

HON'BLE SMT. JUSTICE SUNITA YADAV

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 4800 of 2024

BETWEEN:-

NARESH SHIVHARE S/O SHRI RAMKISHAN SHIVHARE, AGED 34 YEARS, R/O WARD NO. 11 JAAT CHHATRAVAS KE PICHHE GANDHI NAGAR, TEHSIL AND DISTRICT SHEOPUR (MADHYA PRADESH)

.....APPLICANT

(BY SHRI ABHISHEK CHOUBEY - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION EXCISE SUB INSPECTOR CIRCLE SHEOPUR, DISTRICT SHEOPUR (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI ROHIT MISHRA - ADDITIONAL ADVOCATE GENERAL)

This petition coming on for hearing this day, the court passed the following:

ORDER

Heard on I.A. No.2170/2024, an application for exemption from filing certified copy of order dated 25.01.2024 passed in M.Cr.C.No. 3462/2024.

For the the reasons mentioned in the application, I.A. No.2170/2024 is allowed.

This Miscellaneous Criminal Case has been instituted in respect of modification of order dated 25.01.2024 passed in M.Cr.C.No.3462 of 2024 whereby applicant was directed to be released on bail.

Learned counsel for the applicant submits that the M.Cr.C.No.

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3462/2024 has been allowed by order dated 25.01.2024 but due to typographical error in places of Crime No.P-08 No.0556/2023 registered at Police Station Excise Sub Inspector Excise Circle Sheopur District Sheopur and Section 34 (2) of the M.P. Excise Act, 1915, Crime No.19/2024 registered at Police Station Seveda, District Datia (M.P.) and Section 34 (2) of Excise Act and Section 130/177 (3) of Motor Vehicle Act have been mentioned.

A perusal of the order dated 25.01.2024 reveals that instead of Crime No.P-08 No.0556/2023 registered at Police Station Excise Sub Inspector Excise Circle Sheopur District Sheopur and Section 34 (2) of the M.P. Excise Act, 1915, Crime No.19/2024 registered at Police Station Seveda, District Datia (M.P.) and Section 34 (2) of Excise Act and Section 130/177 (3) of Motor Vehicle Act have been mentioned. The aforesaid being a clerical error can be rectified any time.

Consequently, this petition under Section 482 of Cr.P.C. is allowed.

It is directed that in the order dated 25.01.2024 passed in M.Cr.C.No.3462/2024, in places of "Crime No.19/2024 registered at Police Station Seveda, District Datia (M.P.) and Section 34 (2) of Excise Act and Section 130/177 (3) of Motor Vehicle Act", "Crime No.P-08 No.0556/2023 registered at Police Station Excise Sub Inspector Excise Circle Sheopur District Sheopur and Section 34 (2) of the M.P. Excise Act, 1915", shall be read.

To the aforesaid extent, the order dated 25.01.2024 passed in M.Cr.C.No.3462/2024 stands modified.

This order shall be read conjointly with the order dated 25.01.2024 passed in M.Cr.C.No.3462/2024.

This petition under Section 482 of Cr.P.C. stands **disposed of**.

Certified copy as per rules.

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(SUNITA YADAV)
JUDGE

AK/-

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