

Case Details	
Case Type	Crm
Filing No.	14738/2019 Filing Date : 3.12.2019.
Registration No.	1560/2019 Date of Registration 3.12.2019..
CNR Code	PBAS01-023753-2019
Date of order	16.4.2022.

- ## Versus

State of PunjabAccused

(Appeal under Section 52 of Juvenile Justice Act)

Application for correction of the FIR No from 73 dated 23.4.2011 to 76 dated 23.4.2011 in the grounds of appeal and also in the order dated 23.3.2015 passed by the Court of Shri Surinder Singh Sahni, the then learned Additional Sessions Judge, Amritsar passed in Criminal Appeal No.5029 of 2014.

Present:-Sh.Randeep Singh Gill counsel for the applicants.
Sh.N.K.Gupta, Additional PP for State

ORDER

Applicants have filed the present application for

correction of the FIR number from 73 dated 23.4.2011 to 76 dated 23.4.2011 in the grounds of appeal and also in the order dated 23.3.2015 passed by the Court of Shri Surinder Singh Sahni, the then learned Additional Sessions Judge, Amritsar passed in Criminal Appeal No.5029 of 2014.

2. It is averred in the application that in the FIR No.76 dated 23.4.2011, under Sections 377,34 of IPC, Police Station Beas applicants were convicted by the Court of Ms.Sushma Devi Principal Magistrate, Juvenile Justice Board, Amritsar vide judgment dated 12.5.2014. While preparing appeal the then counsel for applicants inadvertently and mistakenly has mentioned FIR No.73 dated 23.4.2011 instead of 76 dated 23.4.2011 in the grounds of appeal and subsequently wrong FIR number has been mentioned in judgment and order dated 23.3.2015 passed by the court of Sh.Surinder Singh Sahni, the then learned Additional Sessions Judge, Amritsar. It is necessary to correct the aforesaid typographical mistake. It was prayed that FIR number be mentioned in the grounds of appeal as well as judgment dated 23.3.2015 passed by the court of Sh.Surinder Singh Sahni the then learned

Additional Sessions Judge, Amritsar.

3. Notice of the application was given to the learned Additional P.P for the State who did not wish to file any reply to the application but stated that appropriate order be passed.

4. To dispose of this application record of Principal Magistrate, Juvenile Justice Board, Amritsar was called and was received.

5. I have heard learned counsel for the applicants and learned Additional P.P for the State and have carefully gone through record of this case.

6. Perusal of the record goes to show that case FIR No.76 dated 23.4.2011, under Sections 377,34 of IPC, Police Station Beas was registered against the accused Saroop Singh and Navjot Singh and report under Section 173 of the Cr.P.C was filed by the police. Vide judgment dated 12.5.2014 passed by the court of Ms.Sushma Devi Principal Magistrate, learned Juvenile Justice Board, Amritsar accused applicants were convicted in the above said case FIR No. 76 dated 23.4.2011, under Sections 377,34 of IPC, Police Station Beas. Perusal of the files goes to show that due to typographical mistake in the grounds of appeal

appellants have mentioned FIR No.73 dated 23.4.2011, under Sections 377,34 of IPC, Police Station Beas instead of mentioning FIR No.76 dated 23.4.2011, under Sections 377,34 of IPC, Police Station Beas. Consequently in the judgment and order dated 23.3.2015 passed by the court of Sh.Surinder Singh Sahni, the then learned Additional Sessions Judge, Amritsar FIR No.73 dated 23.4.2011, under Sections 377,34 of IPC, Police Station Beas has been mentioned instead of FIR No.76 dated 23.4.2011, under Sections 377,34 of IPC, Police Station Beas Section 362 Cr.P.C reads as under :-

362. Court not to alter judgment:-*Save as otherwise provided by this Code or by any other law for the time being in force, no court when it has signed its judgment or final order disposing of a case, shall after or review the same except to correct a clerical or arithmetical error.*

Vide judgment 23.3.2015 passed by the court of Sh.Surinder Singh Sahni, the then learned Additional Sessions Judge, Amritsar while maintaining conviction of appellants modified order of sentence passed by the learned Juvenile Justice Board and ordered the appellants to be released on

probation. Since the wrong mentioning of name of FIR number in grounds of appeal as well as judgment is case is just a clerical error and it will not cause any prejudice to any party, rather in the interest of justice it is required to be corrected, therefore, the application is allowed and number of FIR Number is ordered to be corrected as FIR No.76 dated 23.4.2011, under Sections 377,34 of IPC, Police Station Beas in the grounds of appeal as well as judgment dated 23.3.2025 passed by the court of Sh.Surinder Singh Sahni, the then learned Additional Sessions Judge, Amritsar Reader is directed to make necessary correction in the grounds of appeal as well as judgment dated 23.3.2015 passed by the court of Sh.Surinder Singh Sahni, the then learned Additional Sessions Judge, Amritsar accordingly. File be consigned to the record room.

Pronounced in open Court
Dated: 16.4.2022

(Harjeet Singh),
Additional Sessions Judge,
Amritsar.
(UID No.PB0131).

Saroop Singh Vs. State CRM 1560 2019

Present:-Sh.Randeep Singh Gill counsel for the applicants.
Sh.N.K.Gupta, Additional PP for State

Record already received.

Arguments on application heard. Vide my separate detailed order of even date, the application for correction has been allowed. Reader is directed to make necessary correction in the grounds of appeal as well as judgment dated 23.3.2015 passed by the court of Sh.Surinder Singh Sahni, the then learned Additional Sessions Judge, Amritsar accordingly. File be consigned to the record room.

Pronounced in open Court
Dated: 16.4.2022

(Harjeet Singh),
Additional Sessions Judge,
Amritsar.
(UID No.PB0131).