

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><b><u>BA1 No. 356 of 2026</u></b></p> <p>Surendra</p> <p style="text-align: right;">--Appellant</p> <p style="text-align: center;"><b>Versus</b></p> <p>State of Uttarakhand</p> <p style="text-align: right;">--Respondent</p> <p><b><u>Hon'ble Ashish Naithani, J.,</u></b></p> <p>Ms. Prabha Naithani, learned counsel for the Applicant.</p> <p>2. Mr. N.S. Kaniyal, learned A.G.A. for the State of Uttarakhand.</p> <p>3. The present Modification Application (MCRC No. 1 of 2026) has been filed seeking modification of the order dated 16.03.2026, whereby the Applicant was granted bail in connection with FIR No. 370 of 2025, under Sections 318(4), 336(3), 338, 340(2), 61 of the Bharatiya Nyaya Sanhita, 2023 and Sections 66(C) and 66(D) of the Information Technology Act.</p> <p>4. Heard learned counsel for the Applicant as well as learned State Counsel and perused the record.</p> <p>5. Learned counsel for the Applicant submits that due to inadvertence, Section 61 of the Bharatiya Nyaya Sanhita, 2023 has been mentioned in the order dated 16.03.2026, whereas the correct provision applicable in the present case is Section 61(2) of the said Act. It is submitted that the present application seeks correction of the said typographical/clerical error and does not affect the merits of the bail order.</p> <p>6. Learned State Counsel has no serious objection to the prayer for modification.</p> <p>7. Having considered the submissions and upon perusal of the record, this Court is satisfied that the modification sought is formal in nature and necessary in the interest of justice.</p> <p>8. Accordingly, the Modification Application is allowed.</p> <p>9. The order dated 16.03.2026 shall stand modified to the extent that Section 61 of the Bharatiya Nyaya Sanhita, 2023 shall be read</p>

as Section 61(2) of the Bharatiya Nyaya Sanhita, 2023, while the remaining part of the order shall remain unchanged.

**(Ashish Naithani, J.)**  
**25.03.2026**

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