

**(2024) 02 RAJ CK 0169**

**In the Rajasthan High Court**

**Case No :** Criminal Miscellaneous Application No. 347 Of 2019

Sanjay And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

**Date of Decision :** 02-02-2024

**Acts Referred:**

Indian Penal Code, 1860 — Section 34, 323, 342, 365, 384, 385, 394

**Citation :** (2024) 02 RAJ CK 0169

**Hon'ble Judges :** Manoj Kumar Garg, J

**Bench :** Single Bench

**Advocate :** Abhishek Charan, Aneesh Bhurat, Kirti Pareek

**Final Decision :** Allowed

## Judgement

Manoj Kumar Garg, J

The instant application has been filed seeking modification in the order dated 01.11.2019 passed by this Court in S.B. criminal misc. petition No.5893/2019, whereby the misc. petition was allowed and the criminal proceeding were quashed on the basis of compromise arrived at between the parties.

Counsel for the petitioner submits that the challan of the case was presented against the present petitioner for the offences under Sections 323, 342, 365 & 384/34 of IPC and the trial Court framed the charges for offence under Sections 323, 342, 365 and 394 of IPC, but inadvertantly due to typographical error in the compromise deed dated 21.10.2019 as well as in the order dated 22.10.2019 passed by the trial Court the offence has wrongly been mentioned under Section 384 IPC instead of 394 IPC. Counsel submits that the said error is also crept in the order dated 01.11.2019 passed by this Court. Therefore, it is prayed that the necessary correction be made in the order dated 01.11.2019.

For the reasons mentioned in the application, the application is hereby allowed. It is ordered that in the order dated 01.11.2019 offence under Section 384 IPC be read as Section 394 IPC. The order dated 01.11.2019 is hereby modified/

corrected to that limited extent.