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MD. JAMILUDIN NASIR

v.

STATE OF WEST BENGAL

(Criminal M. P. Nos. 14533-14534 of 2014)

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(Criminal Appeal Nos. 1240-1241 of 2010)

OCTOBER 10, 2014

**[SHIVA KIRTI SINGH AND**

**FAKKIR MOHAMED IBRAHIM KALIFULLA, JJ.]**

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*Penal Code, 1860 – Waging of war against State – Judgment dated 21.05.2014 reported in [2014] 14 S.C.R. 1 – Corrections to be carried out in terms of Annexure – Criminal Miscellaneous Petitions allowed accordingly.*

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CRIMINALAPPELLATE JURISDICTION: Criminal M. P. Nos. 14533-14534 of 2014 in Criminal Appeal Nos. 1240-1241 of 2010.

From the Judgment and Order dated 05.02.2010 in DR. No. 2/05 of the High Court of Calcutta.

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CrI. M. P. Nos. 14373-14374 of 2014 in Criminal Appeal Nos. 1242-1243 of 2010.

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Ms. Manika Tripathy Pandey, Adv. for the Appellant.

Anip Sachthey, Saakaar Sardana, Advs. for the Respondent.

The following Order of the Court was passed:

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**ORDER**

1. Having heard counsel for the parties and having perused the office report dated 09.10.2014 and the Report of

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the Registry dated 9.10.2014, in compliance of our order dated 1.9.2014, we find that the necessary corrections may be carried out in terms of Annexure "A" of the Report dated 9.10.2014.

2. The Criminal Miscellaneous Petitions are, accordingly, allowed.

ANNEXURE-'A'

PROPOSED CORRIGENDUM TO THE JUDGMENT & ORDER DATED 21ST MAY, 2014 PASSED BY THIS HON'BLE COURT IN CRL.APPEAL NOS.1240-1241 OF 2010 ENTITLED MD. JAMILUDDIN NASIR VERSUS STATE OF WEST BENGAL AND CRL. APPEAL NOS.1242-1243 OF 2010 ENTITLED AFTAB AHMED ANSARI @ AFTAB ANSARI VERSUS STATE OF WEST BENGAL

S.No.	Typographical/ Factual Errors	Page No.	Correct Position
1.	21 Indian Penal Code	Page No. 2. 9 <sup>th</sup> line from the top	307 Indian Penal Code
2.	38 H, Jawaharlal Nehru Road.	Page No. 2. 6 <sup>th</sup> line from the bottom	38A, Jawaharlal Nehru Road
3.	A7 - Nushrat Alak	Page No.3. 6 <sup>th</sup> Line from the top	A7 - Hasrat Alam
4.	A7 - Nushrat Alak	Page No. 4. 10 <sup>th</sup> Line from the top	A7 - Hasrat Alam
5.	near to	Page No.9, 10 <sup>th</sup> Line from the top	at
6.	Calcutta City Police	Page No. 12. 9 <sup>th</sup> Line from the top	Hazaribagh Police
7.	20.01.2002	Page No. 13, 6 <sup>th</sup> line from the bottom	28.01.2002
8.	23.02.2002	Page No. 14. 5 <sup>th</sup> Line from the bottom	22.03.2002
9.	Asif	Page No. 14, 4 <sup>th</sup> Line from the bottom	Aftab
10.	Exhibit 46/1	Page No. 14, 3 <sup>rd</sup> line from the bottom	Exhibit 46

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11.	Pakistan's national flag	Page No. 15, 4 <sup>th</sup> line from the top	"Pakistan's national flag" to be omitted
12.	SDJM	Page No. 20, 11 <sup>th</sup> line from the top	MM
13.	Judicial	Page No. 23, 9 <sup>th</sup> line from the top	Metropolitan
14.	Judicial Magistrate	Page No. 32, 2 <sup>nd</sup> line from the top	Metropolitan Magistrate
15.	he filed	Page No. 37, 12 <sup>th</sup> line from the top	he was released
16.	Central	Page No. 43, 14 <sup>th</sup> line from the top	Criminal
17.	Judicial	Page No. 49, 4 <sup>th</sup> line from the top	Metropolitan
18.	22.02.2002	Page No. 62, last line	27.02.2002
19.	The appellant	Page No. 65, 3 <sup>rd</sup> & 4 <sup>th</sup> line from the top	'the Appellant' to be omitted & word 'who' added
20.	Exhibit-46/1	Page No. 76, 8 <sup>th</sup> line from the top	Exhibit-46
21.	Exhibit-45/1	Page No. 78, 3 <sup>rd</sup> line from the bottom	Exhibit-45
22.	Exhibit-45/1	Page No. 81, 5 <sup>th</sup> line from the top	Exhibit-45
23.	Hazrat Imam	Page No. 83, 6 <sup>th</sup> line from the top	Hassan Imam
24.	22.02.2002	Page No. 85, 4 <sup>th</sup> line from the bottom	22.01.2002
25.	Exhibit-46/1	Page No. 87, 5 <sup>th</sup> line from the bottom	Exhibit-46
26.	Exhibit-45/1	Page No. 89, 1 <sup>st</sup> line from the bottom	Exhibit-45
27.	Exhibit-46/1	Page No. 90, 1 <sup>st</sup> line from the top	Exhibit-46
28.	Exhibit-46/1	Page No. 97, 3 <sup>rd</sup> line from the bottom	Exhibit-46
29.	Exhibit-XXVI	Page No. 103, 2 <sup>nd</sup> line from the top	Exhibit-XXIV
30.	Exhibit-XXVII	Page No. 103, 3 <sup>rd</sup> line from the top	Exhibit-XXVI

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31.	Exhibit - XXIX	Page No. 105, 3 <sup>rd</sup> line from the top	Exhibit - XXVIII
32.	Exhibit- XXVIII	Page No. 105, 6 <sup>th</sup> line from the top	Exhibit - XXIX
33.	21.01.2002	Page No. 105, 3 <sup>rd</sup> line from the bottom	22.01.2002
34.	21.01.2002	Page No. 106, 5 <sup>th</sup> line from the bottom	22.01.2002
35.	Rippon Street Circular Road Crossing	Page No. 108, 7 <sup>th</sup> line from the bottom	Russel Street Crossing
36.	Exhibit-P-4	Page No. 109, 6 <sup>th</sup> line from the bottom	Exhibit -63
37.	officer in-Charge,	Page No 121, 3 <sup>rd</sup> line from the bottom	officer in-charge-II
38.	26.02.2002	Page No. 123, 1 <sup>st</sup> line from the bottom	26.04.2002
39.	PWs-37 PW-37	Page No. 126, 8 <sup>th</sup> & 9 <sup>th</sup> line from the bottom	PWs-47 PW-47
40.	a diary maintained by deceased Asif	Page No. 126, 4 <sup>th</sup> line from the top	Aftab
41.	15 <sup>th</sup> January	Page No. 145, 12 <sup>th</sup> line from the top	16 <sup>th</sup> January.
42.	flat	Page No. 146, 7 <sup>th</sup> line from the bottom	flag
43.	and now Aftab has been apprehended on 13.03 2002 he was free	Page No. 149, 4 <sup>th</sup> line from the top	on 13.03.2002, to be omitted.
44.	Asif	Page No. 153, 4 <sup>th</sup> line from the bottom	Aftab
45.	Exhibit-46/1	Page No. 162, 11 <sup>th</sup> line from the top	Exhibit-46
46.	Imam Hussain	Page No. 162, 6 <sup>th</sup> line from the bottom	Hassan Imam
47.	corps	Page No. 162, 4 <sup>th</sup> line from the bottom	Cops
48.	Sadakat's	Page No. 165, 10 <sup>th</sup> line from the bottom	Zahid's
49.	Chambal express 1159 Uttar Pradesh	Page No. 165, 7 <sup>th</sup> & 8 <sup>th</sup> line from the bottom	Chambal express 1159 up.
50.	Sadakat's name	Page No. 165, 7 <sup>th</sup> line from the bottom	in Zahid's name

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51	Exhibit 46/1	Page 167, 5 <sup>th</sup> line from the bottom	Exhibit- 46
52	Exhibit 46/1	Page 168, 2 <sup>nd</sup> line from the top	Exhibit -46
53	Immam Hussain	Page 170, 11 <sup>th</sup> line from the top	Hassan immam
B 54	Exhibit 46/1	Page 171, 5 <sup>th</sup> line from the bottom	Exhibit 46
55	24.01.2002	Page No. 187, 7 <sup>th</sup> line from the bottom	26.01.2002
56	Around 13 number of personnel	Page No. 189, 10 <sup>th</sup> line from the bottom	Around 15 number of personnel

Nidhi Jain

Crl.MPs allowed.