

Queen Empress Vs. Jethmal Jayraj

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SooperKanoon Citation : sooperkanoon.com/327759

Court : Mumbai

Decided On : Aug-24-1884

Reported in : (1885)ILR9Bom27

Judge : West and ;Nanabhai Haridas, JJ.

Appellant : Queen Empress

Respondent : Jethmal Jayraj

Judgement :

West, J.

1. The jurisdiction of the Magistrate in this case depended on sanction to the prosecution by the Collector. It was essential, therefore, that the record of the conviction should evidence such Sanction. It does not contain any written sanction, nor any note even of sanction having been given to the prosecution. The conviction, therefore, must be reversed, as the trial was held without jurisdiction. The fine to be restored.