

Emperor Vs. Kavtik Chaitram and Narayan Baldev Palwa

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Court : Mumbai

Decided On : Feb-15-1906

Reported in : (1906)8BOMLR241

Judge : Lawrence Jenkins, ;K.C.I.E., C.J. and ;Russell, J.

Appeal No. : Criminal References Nos. 87 and 88 of 1906

Appellant : Emperor

Respondent : Kavtik Chaitram and Narayan Baldev Palwa

Judgement :

Lawrence Jenkins, K.C.I.E., C.J.

1. Narayan Baldev Palwa has been convicted of breach of the restriction specified in a notice issued under Section 27 of Bombay Regulation XII of 1827, and sentenced to one day's simple imprisonment.
2. The matter has been referred to us by the Sessions Judge and he recommends that the conviction should be reversed.
3. There is nothing on the record which shows that any case had been made for action against the accused under Section 27 of Regulation XII. He is not shown in accordance with legal procedure to have been suspected person, and it does not appear that his assent to the measures adopted was ever taken.

4. Under these circumstances, we think that the Sessions Judge was right in the view he took of the case.

5. We, therefore, reverse the conviction.

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