

In Re: Ramjibhai Waghjibhai

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SooperKanoon Citation : sooperkanoon.com/338652

Court : Mumbai

Decided On : Aug-26-1912

Reported in : (1912)14BOMLR889; 17Ind.Cas.540

Judge : Batchelor and ;Rao, JJ.

Appeal No. : Criminal Reference No. 83 of 1912

Appellant : In Re: Ramjibhai Waghjibhai

Judgement :

1. There is no appearance in this case for the District Magistrate though notice has been served upon him. In these circumstances we have not had the advantage of arguments in support of the Sub divisional Magistrate's proceedings. But upon the best consideration we can give to the matter, we take the same view as the learned Sessions Judge has expressed in his reference; and for the reasons there appearing we hold that the warrant, proclamation and attachment in this case were illegal. We, therefore, set them aside, and direct the attachment to be raised.