

Emperor Vs. Ahmad Khan

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Court : Allahabad

Decided On : Oct-25-1911

Reported in : (1912)ILR34All96

Judge : George Knox and ;Griffin, JJ.

Appellant : Emperor

Respondent : Ahmad Khan

Judgement :

George Knox and Griffin, JJ.

1. We have carefully considered the description given of the game which both the courts below held to be not a game of mere skill. The learned Counsel for the applicant who asks us to interfere with the view taken by these courts, has referred us to a Calcutta ruling in Criminal Revision No. 771 of 1907 Hari Singh v. King-Emperor. There is a material difference between the words used in Section 10 of the Bengal Public Gambling Act and Section 12 of Act No. III of 1867, which is the Act which governs the case now before us. We are by no means sure that the game which the Calcutta High Court Judges had under consideration was precisely the same as is described by the learned Sessions Judge of Cawnpore. We are, of course, only concerned with the game described by the latter. From the description so given we find ourselves unable to interfere. We hold that the game described by the learned Sessions Judge of Cawnpore is not a game of mere skill.

The application is dismissed.

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