

Emperor Vs. Beni

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SooperKanoon Citation : sooperkanoon.com/474051

Court : Allahabad

Decided On : Feb-21-1914

Reported in : AIR1914All363(1); 25Ind.Cas.352

Judge : Piggott, J.

Appellant : Emperor

Respondent : Beni

Judgement :

Piggott, J.

1. This is a reference by the Sessions Judge of Shahjahanpur asking this Court to interfere in the case of one Beni who, as the explanation of the Magistrate concerned now makes it clear, has been convicted of committing a public nuisance under Section 290 of the Indian Penal Code and sentenced to a fine of Rs. 20. The only facts found are that the said Beni skinned an animal which had died a natural death. In the absence of any further evidence I am not prepared to accept it as a sound principle of law that this act in itself constitutes a public nuisance. I set aside the conviction and sentence in this case, acquit Beni of the offence charged and direct that the fine, if paid, be refunded.