

**Dalli Vs. Emperor**

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**SooperKanoon Citation :** [sooperkanoon.com/474783](http://sooperkanoon.com/474783)

**Court :** Allahabad

**Decided On :** Mar-30-1922

**Reported in :** AIR1922All233; 66Ind.Cas.427

**Judge :** Ryves and ;Gokul Prasad, JJ.

**Appellant :** Dalli

**Respondent :** Emperor

**Judgement :**

1. Dalli has appealed from his sentence of death for the murder of his mistress. The learned Sessions Judge accepted his plea of 'guilty' and convicted him upon it. No evidence at all was taken in the Court of Session. In a case of murder it has long been the practice of this Court not to accept the plea of guilty. After all murder is a mixed question of fact and law, and, unless the Court is perfectly satisfied that the accused knew exactly what was necessarily implied by his plea of guilty, the case should be tried, and in dealing with people of the status of Dilli, this, of course, can never be the case. We, therefore, set aside the conviction and sentence and direct the learned Sessions Judge to refuse to accept the plea of 'guilty' and to retry the case.