

**Sunehri and ors. Vs. Emperor**

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**SooperKanoon Citation :** [sooperkanoon.com/476479](http://sooperkanoon.com/476479)

**Court :** Allahabad

**Decided On :** Aug-13-1921

**Reported in :** 67Ind.Cas.202

**Judge :** Lindsay, J.

**Appellant :** Sunehri and ors.

**Respondent :** Emperor

**Judgement :**

**Lindsay, J.**

1. The first ground taken in this revision is that the judgment of the Appellate Court is very perfunctory. That ground, in my opinion, is a good ground. I must set aside the orders of the District Magistrate and send the case back for re-trial and for proper consideration of the evidence. The case is a case under section 110 of the Code of Criminal Procedure and 42 witnesses were examined for the prosecution and 106 witnesses for the defence. The learned District Magistrate has disposed of the appeal in a few lines and has only made some general observations upon the volume of evidence which was put before him. This is not a proper way of disposing of an appeal of this kind and the learned District Magistrate's judgment is not in accordance with law. The order is set aside and the case is sent back for re-trial and for the recording of a proper judgment.

