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Tirloki Nath Vs. Emperor

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SooperKanoon Citation : sooperkanoon.com/479895

Court : Allahabad

Decided On : Oct-08-1926

Reported in : 100Ind.Cas.381

Judge : Banerji, J.

Appellant : Tirloki Nath

Respondent : Emperor

Judgement :

Banerji, J.

1. One Banwari Lai complained against Tirloki Nath, under Section 352 of the Indian Penal Code. The case was tried summarily by the District Magistrate of Meerut, but the proceedings adopted by him are curious. What he says in his judgment is:

Accused's father says that if complainant swears on Ganges water that he has not abused his father the case is finished.

2. Neither the accused's father nor the complainant's son were parties to the case and I fail to see how any Magistrate could have acted in the way that this learned Magistrate did. There is no provision of any law, and it seems to me against common sense, to decide a case in the way that this Magistrate did. I accept the

Reference. As the case is a trivial one I direct the record to be returned. No further action need be taken in the matter.

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