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**Lalta Prasad Vs. Emperor**

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**SooperKanoon Citation** : sooperkanoon.com/482434

**Court** : Allahabad

**Decided On :** Dec-17-1920

**Reported in** : AIR1921All192; 61Ind.Cas.59

**Judge** : P.C. Banerji, J.

**Appellant** : Lalta Prasad

**Respondent** : Emperor

**Judgement** :

**P.C. Banerji, J.**

1. The applicant has been convicted of having caused obstruction to a public road. The obstruction complained of was the playing of certain girders on the road. It appears that the applicant is in charge of a Jain temple which was being repaired. There was a contractor for the supply of materials and the extractor supplied the girders. There is nothing to show that the girders were planed on the road under the authority or the direction of the applicant. If the contractor or his servants placed the girders on the road, and if there is nothing to prove that they did be under the direction or with the satisfaction of the applicant, the applicant could not be convicted of having caused obstruction to a public road. In the present case there is no evidence to prove that the applicant authorised the obstruction. His convention therefore, was illegal, I allow the application set aside the conviction and sentence and direct that the fine imposed on the applicant if paid, be

refunded.

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