

Mahajan Sheikh Vs. Emperor

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SooperKanoon Citation : sooperkanoon.com/858521

Court : Kolkata

Decided On : Oct-13-1914

Reported in : AIR1915Cal787,(1915)ILR42Cal708

Judge : Jenkins, C.J. and ;Teunon, J.

Appellant : Mahajan Sheikh

Respondent : Emperor

Judgement :

Jenkins, C.J. and Teunon, J.

1. Under Section 75 of the Code of Criminal Procedure the seal of the Court is essential to the validity of a warrant. The absence of a seal in this case made the warrant void and there, consequently, was no legal arrest. We, therefore, make the Rule absolute. If the petitioners are on bail, the bail will be discharged; if in custody, they will be released.