

**Queen-empress Vs. Solomon**

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**SooperKanoon Citation :** [sooperkanoon.com/863477](http://sooperkanoon.com/863477)

**Court :** Kolkata

**Decided On :** Jul-23-1890

**Reported in :** (1890)ILR17Cal931

**Judge :** Wilson, J.

**Appellant :** Queen-empress

**Respondent :** Solomon

**Judgement :**

**Wilson, J.**

1. The question raised now is one which I think I am bound to answer at this stage, in fairness to those who have the responsibility of conducting the case for the prosecution and for the defence, namely, whether, in the events which have happened down to this stage, the Crown is entitled to a reply, This seems to me to depend solely on the provisions of Section 292\* of the Code of Criminal Procedure. Independently of authority I should have thought that it did not give the Crown the right of reply. It only gives the right when the accused has stated, in reply to the question put to him under Section 289, that he means to adduce evidence. I further think it is my duty to follow the decisions of this Court rather than that of the Madras High Court. I hold, therefore, that up to this stage of the case nothing has happened which gives the Crown a right of reply.

\* Prosecutor's right of reply.

[Section 292: If the accused, or any of the accused, has stated when asked under Section 289, that he means to adduce evidence, the prosecutor shall be entitled to reply.]

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