

**Durjodhan Bhat Vs. Emperor**

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**SooperKanoon Citation :** [sooperkanoon.com/873346](http://sooperkanoon.com/873346)

**Court :** Kolkata

**Decided On :** Feb-13-1925

**Reported in :** AIR1925Cal1226,(1925)ILR52Cal666

**Judge :** Newbould and ;B.B. Ghose, JJ.

**Appellant :** Durjodhan Bhat

**Respondent :** Emperor

**Judgement :**

**Newbould and Ghose, JJ.**

1. We think that the order of the Magistrate, on which this case was based, cannot be regarded as a complaint as required by Section 476 of the Criminal Procedure Code, as it has been amended. We, accordingly, make the Rule absolute, and quash the proceedings now pending against the petitioner. This will be no bar to proceedings being again instituted against him if the Magistrate thinks proper to make a complaint in proper form.