

**(1906) 02 BOM CK 0013**

**In the Bombay High Court**

**Case No :** Criminal References No's. 87 and 88 of 1906

Emperor

APPELLANT

Vs

Kavtik Chaitram and Narayan Baldev Palwa

RESPONDENT

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**Date of Decision :** 15-02-1906

**Acts Referred:**

Bombay Regulation Act, 1827 — Section 27

**Citation :** (1906) 8 BOMLR 241

**Hon'ble Judges :** K.C.I.E., C.J; Russell, J; Lawrence Jenkins, J

**Bench :** Full Bench

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## Judgement

Lawrence Jenkins, K.C.I.E., C.J.—Narayan Baldev Palwa has been convicted of breach of the restriction specified in a notice issued u/s 27 of Bombay Regulation XII of 1827, and sentenced to one day's simple imprisonment.

2. The matter has been referred to us by the Sessions Judge and he recommends that the conviction should be reversed.

3. There is nothing on the record which shows that any case had been made for action against the accused u/s 27 of Regulation XII. He is not shown in accordance with legal procedure to have been suspected person, and it does not appear that his assent to the measures adopted was ever taken.

4. Under these circumstances, we think that the Sessions Judge was right in the view he took of the case.

5. We, therefore, reverse the conviction.