

(1923) 01 AHC CK 0048
In the Allahabad High Court

Ram Badan Singh

APPELLANT

Vs

Janki and Others

RESPONDENT

Date of Decision : 31-01-1923

Acts Referred:

Citation : (1923) ILR (All) 363 : 71 Ind. Cas. 692

Hon'ble Judges : Daniels, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Daniels, J.—This is a reference by the learned Sessions Judge of Ghazipur recommending the cancellation of an order of compensation passed u/s 250 of the Code of Criminal Procedure by a first class Magistrate of Ghazipur. The order was passed in proceedings u/s 107 of the Code of Criminal Procedure. Section 250, by its terms, applies only to a case where a person is accused before a Magistrate of an offence and, not to proceedings the object of which is to require him to give security to keep the peace. This has been held in the cases referred to by the learned Sessions Judge. I, therefore, accept the reference and set aside the order of compensation. The amount, if paid, will be refunded.