

**(1918) 02 CAL CK 0034**

**Calcutta High Court**

**Case No:** None

Gahar Mahammed Sarkar and  
Others

APPELLANT

Vs

Pitambar Das

RESPONDENT

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**Date of Decision:** Feb. 8, 1918

**Acts Referred:**

- Penal Code, 1860 (IPC) - Section 186

**Citation:** 47 Ind. Cas. 868

**Hon'ble Judges:** Smither, J; Charles Chitty, J

**Bench:** Division Bench

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### **Judgement**

1. In this case we think that the warrant, the execution of which is said to have been resisted, was illegal. The petitioners should not, therefore, have been convicted u/s 186, Indian Penal Code. We set aside the conviction and sentence and direct that the fines, if paid, be refunded.