

**(1922) 11 CAL CK 0014**

**Calcutta High Court**

**Case No:** None

Kanai Lal and Others

APPELLANT

Vs

Hyder Ali Khan Pani

RESPONDENT

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**Date of Decision:** Nov. 22, 1922

**Acts Referred:**

- Criminal Procedure Code, 1898 (CrPC) - Section 146

**Citation:** AIR 1923 Cal 483 : 73 Ind. Cas. 271

**Hon'ble Judges:** Suhrawardy, J; Newbould, J

**Bench:** Division Bench

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### **Judgement**

1. In this case the learned Magistrate has passed an order u/s 146 of the Code of Criminal Procedure after recording a very short order in which he states that he is unable to satisfy himself as to which of the parties is in possession of the land. Several rulings have, been brought to our notice in which it has been held by this Court that the omission to write at length the reasons for coming to such a conclusion may be a ground for remanding a case. It is impossible to lay down a hard and fast Rule when this Court should interfere on the ground of the brevity of the order passed in a proceeding of this kind. In the present case it is sufficient for us to say that we see no reason to think that the learned Magistrate did not give full judicial consideration to the evidence before he came to the conclusion at which he arrived. This being so, there is no reason for our interference. The Rule is discharged.