

(1872) 11 CAL CK 0002

Calcutta High Court

Case No: None

The Queen

APPELLANT

Vs

Isree Pershad Sing

RESPONDENT

Date of Decision: Nov. 13, 1872

Judgement

Glover, J.

We think that the Sessions Judge is correct in his view of the law, and that the Magistrate was not justified in increasing the amount of security and in demanding sureties on a summons which provided only for a recognizance of much smaller amount, and made no mention of sureties at all. The order of the Magistrate, directing recognizances to the amount of. Rs. 4,000, and sureties to that of Rs. 1,000, to be taken, is quashed. If the Magistrate still thinks that heavier security should be taken than that first determined upon, he should issue a fresh summons, setting forth the amount intended to be taken, so that the party concerned may have full opportunity of showing cause against the order, if he wishes to do so.