

**(1868) 12 CAL CK 0019**

**Calcutta High Court**

**Case No:** None

The Queen

APPELLANT

Vs

Sham Sundar Chowdhry

RESPONDENT

---

**Date of Decision:** Dec. 11, 1868

---

### **Judgement**

Loch, J.

We concur with the Sessions Judge in thinking that the view taken by the Magistrate is erroneous. We think that if the accused have forfeited his recognizance given to the Magistrate of Tipperah by committing a breach of the peace in Sylhet of which he has been convicted and punished, the Magistrate of the former district can proceed under the provisions of Section 293 of the Criminal Procedure Code. We, therefore, set aside the order passed by the Magistrate in this case.