

Supreme Court of India

Gopal Vijay Verma vs Bhuneshwar Prasad Sinha And Ors. on 17 November, 1982

Equivalent citations: 1982 (2) SCALE 1104, (1982) 3 SCC 510, 1983 (15) UJ 18 SC

Bench: O C Reddy, V B Eradi

ORDER

1. The High Court was clearly in error in thinking that the Magistrate could not take cognizance of a case upon complaint because he had earlier refused to take cognizance of the case on a police report. The Order of the High Court is set aside. The matter is remitted to the Chief Judicial Magistrate, Patna for disposal according to law. If the accused have any further objections to raise, they may do so before the Chief Judicial Magistrate.

2. The appeal is disposed of accordingly.