

2 The gravamen of the allegations is contained in the
said F.I.R.. It is alleged that the Petitioner herein is one of the
accused who was found playing the game of “Cards”. We have

perused the F.I.R. which gives the description as to how the said game is played. On such perusal, we find that in the said game, as described in the F.I.R., there is no element of skill and it appears to be purely a game of chance and the winner is chosen on the basis of cards, which are received by him on distribution in the said game and the winner also receives the prize in cash on the said basis.

3 Having regard to the said aspect, prima facie, we find that the ingredients of the offence under the Prevention of Gambling Act, 1887 is made out. Therefore, we do not deem this a fit case to exercise our writ jurisdiction under Article 226 of the Constitution of India. The Writ Petition is accordingly dismissed.

(Sarang V. Kotwal, J.)

(R.M. Savant, J.)