



Crl.O.P.No.1537 of 2022

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in Crl.A.SR.No.2340 of 2022

A.D. JAGADISH CHANDIRA, J.

(This case has been heard through Video conference)

The learned counsel for the petitioner would submit that the respondent/accused is the proprietor of Bharani Bharat Gas Agency, the trial Court found the petitioner had proved the case under Section 138 of Negotiable Instruments Act and found that the respondent/accused guilty for the offence. Whereas, the appellate Court erroneously holding that the petitioner/complainant had not complied with the provisions under Sections 141 of Negotiable Instruments Act and wrongly holding that the firm was not added as accused had acquitted the respondent/accused. The trial Court had committed grave error in holding that non issuance of notice to the proprietary firm is illegal.

2. Having heard the counsel and perused the materials available on record, this Court is of the opinion that a *prima facie* case is made out for grant of leave.

3. Leave granted.

28.01.2022.

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Note: Registry is directed to number the appeal, if it is otherwise in order.



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