



Crl.O.P.No.1973 of 2022

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Crl.O.P.No.1973 of 2022
in Crl.A.SR.No.1106 of 2022

A.D. JAGADISH CHANDIRA, J.

(This case has been heard through Video conference)

The learned counsel for the petitioner/appellant would submit that the accused has not sent a reply to the statutory notice and he has also not denied the issuance of the cheque and the signature found in it. The trial Court ignoring the statutory presumption under Sections 118 and 139 of N.I. Act had erred in acquitting the accused by shifting the burden on the petitioner/complainant.

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.

31.01.2022.

tsh

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



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