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3. Further submitted that the petitioner is illiterate and street vendor selling vegetables in the platform. With her hard earned money and pledging her daughter's jewellery she paid the amount for purchase of property. The respondent and his wife through their power agent executed a sale deed and no such property is available. In support of his contention, learned counsel produced the Sale Deed document and Encumbrance Certificate. Further referring to the cross examination of the respondent he submitted that the respondent admits the issuance of cheque and also the land transaction but took a defence that the cheque was issued in the police station and Mohan is the person, who received the money not the respondent. The said Mohan is no more. Taking advantage of the same, the respondent is making such claim. In any event, Mohan is only a power agent and the respondent and his wife are liable for the above offence.

4. Mr. M. I. Javid Akbar, learned counsel for the respondent is present. He submitted that though the petitioner make such representation, the same is not brought in as evidence.



CrI.O.P.Nos.22422 and 22295 of 2023

5.Considering the submissions made, the specific case of the respondent that the petitioner had no means and no transaction with respondent cannot be accepted, hence, this Court is inclined to grant leave. Accordingly, leave is granted.

21.11.2023

Note: Registry is directed to number these Criminal Appeals, if they are otherwise in order.
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Crl.O.P.Nos.22422 and 22295 of 2023

M. NIRMAL KUMAR, J.

rsi

Crl.O.P.Nos.22422 and 22295 of 2023
in
Crl.A.SR.Nos.36882 and 36887 of 2023

21.11.2023