

15.05.2024.  
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Court no.237  
BP

IN THE HIGH COURT AT CALCUTTA  
CRIMINAL APPELLATE JURISDICTION  
APPELLATE SIDE

**CRMSPL 35 of 2024**

**Maya Mondal**  
**versus**  
**State of West Bengal & Anr.**

Mr. Shibaji Kumar Das  
Mr. Ahsan Ahmed  
..for the petitioner/appellant.

1. The petition for special leave to file an appeal against the judgement and order of acquittal passed by the learned Judicial Magistrate, 3<sup>rd</sup> Court, Diamond Harbour in connection with C. Case No. 417 of 2016 under Section 138 of the Negotiable Instruments Act.
2. Learned counsel appearing on behalf of the petitioner submits that the learned Judge heard in coming to a final conclusion on the ground of the subject cheque being stolen though signature of the accused on the cheque was accepted.
3. However, having gone through the judgement impugned and also having heard the learned counsel appearing on behalf of the petitioner, leave is granted. The petitioner is at liberty to file an appeal within the statutory period.

4. CRMSPL 35 of 2024 stands disposed of.

**(Bibhas Ranjan De, J.)**