



Crl.O.P.No.21345 of 2024
in Crl.A.Sr.No.44056 of 2024

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SUNDER MOHAN, J.

Aggrieved by the acquittal of the respondent for the offences punishable under Section 138 of Negotiable Instruments Act, the petitioner/complainant has filed the present petition seeking leave to file an appeal.

2. The learned counsel for the petitioner/complainant would submit that though the cheque was issued for Rs.9,70,271/-, the respondent/accused was due to pay only Rs.5,67,271/-; that inadvertently, he had not made an endorsement restricting his claim to Rs.5,67,271/-; that admittedly, the said amount is due by the respondent to the complainant and that the respondent had not chosen to make payment of the said sum; and that the trial Court had erroneously acquitted the respondent.

3. This Court finds force in the submission made by the learned counsel for the petitioner and since, the same requires consideration by this Court, leave is granted to file an appeal.

4. Registry is directed to number the appeal and post for admission, if it is otherwise in order.



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