



Crl.O.P.No.22160 of 2024
in Crl.A.Sr.No.44983 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 would submit that the respondent was acquitted on the sole ground that the loan was given in the year 2013 and the cheque was issued in the year 2021 and hence it was for a time barred debt and that the complaint under Section 138 of the Negotiable Instruments Act, is not maintainable; that the petitioner had filed an application to produce the bank statements to show that the respondent had paid interest and had acknowledged the liability and therefore the debt was not barred by limitation, but the said petition was dismissed and before the order could be challenged the impugned judgment was passed; and that he also intended to file a petition under Section 391 Cr.P.C., to produce additional documents.

3. The points raised by the petitioner require consideration by this Court and hence, 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.

20.11.2024

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