



WEB COPY



Crl.O.P.No.23498 of 2024
in Crl.A.SR.No.48315 of 2024

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SUNDER MOHAN, J.

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

2. The learned counsel appearing for the petitioner would submit that the finding of the Trial Court that the complainant has failed to prove that the cheque was issued for legally enforceable liability is perverse and it is not based on the evidence on record as admittedly the loan was granted on 16.08.2017 and the cheque was issued on 12.06.2018.

3. This court finds that the submissions made by the learned counsel for the petitioner requires further consideration and hence inclined to grant leave. Accordingly, leave granted.

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

05.11.2024

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