



Crl.O.P.No.23552 of 2024
in Crl.A.Sr.No.12964 of 2022

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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 trial Court disbelieved the defence of the respondent/accused that the cheque was given for security and held that the cheque was issued in discharge of a debt and convicted the respondent; that the appellate Court however, reversed a well considered judgment of the trial Court by holding that the petitioner had not established that there is a legally enforceable debt.

3. This Court, on perusal of the finding of the Courts below finds force in the submission made by the learned counsel for the petitioner and since, the points raised by the petitioner requires consideration, this Court is 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.

06.11.2024



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