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Crl.O.P.No.24749 of 2024 in Crl.A.SR.No.31982 of 2024

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SUNDER MOHAN, J.

Aggrieved by the acquittal of the respondent for the offence punishable under Section 138 of Negotiable Instruments Act, 1881, 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 cheque was issued for a legally enforceable debt on 02.02.2023 for a sum of Rs.5,00,000/-; and that the respondent had issued a promissory note for the said amount on 05.05.2022. The learned Magistrate, however, had erroneously held that since the loan was obtained in the year 2019, the cheque was issued for a time barred debt and therefore, it was invalid and had acquitted the respondent erroneously.



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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.

13.11.2024

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