



Crl.O.P.No.26082 of 2024
in Crl.A.Sr.No.46460 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 the respondent had not disputed the signature in the cheque and that it was issued to the petitioner; and that the trial Court had erroneously held that the petitioner had not established his case beyond reasonable doubt, though the respondent had not rebutted the statutory presumption under Sections 118 and 139 of the Indian Evidence Act.

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.

12.11.2024

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