



WEB COPY



CrI.O.P.No.26623 of 2024
in CrI.A.Sr.No.36337 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 had admitted the signature in the cheque and had not rebutted the statutory presumption; that the trial Court had erroneously accepted the defence of the respondent that the cheque issued to DW2 was taken away by the complainant and that the respondent had not filed any police complaint alleging theft of cheque.

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.

28.11.2024

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