



Crl.O.P.No.28186 of 2024
in Crl.A.Sr.No.54259 of 2024

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SUNDER MOHAN, J.

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

2. The learned counsel for the petitioner/appellant/complainant would submit that the petitioner had established that the accused/respondent had issued a cheque; that the respondent had not denied his signature and also the fact of borrowing the loan amount of Rs.15,00,000/- (Rupees Fifteen Lakhs only) from the petitioner; that the trial Court had erroneously held that the respondent had rebutted the statutory presumption by proving that he had repaid the loan amount; that it is a specific case of the petitioner that in spite of repayment of a portion of the loan amount, the respondent is due to pay the cheque amount towards the principal and interest.

3. The above submission of the learned counsel for the petitioner requires consideration by this Court. Hence, leave is granted to file an appeal.



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

18.11.2024

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