



Crl.O.P.No.29993 of 2024
in Crl.A.Sr.No.27729 of 2024

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SUNDER MOHAN, J.

Aggrieved by the acquittal of the respondent for the offence 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 would submit that the trial court, having held that the petitioner had established that the cheque was issued by the respondent, ought to have seen that the respondent had not rebutted the statutory presumption and therefore the Judgment of acquittal is liable to be set aside.

3. On perusal of the impugned Judgment, it is seen that the petitioner had established that the cheque was signed by the respondent. The respondent had merely denied the relationship. The question as to whether the respondent had rebutted the statutory presumption requires consideration by this Court. Therefore, this Court grants leave to file an appeal.



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

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04.12.2024

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