



WEB COPY



Crl.O.P.No.30997 of 2024  
in Crl.A.SR.No.62075 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 signature in the cheque has not been disputed by the respondent; that the petitioner had proved through Statement of accounts [Ex.P2] that he had lent a sum of Rs.1 Crore to the respondent and the respondent had issued two cheques towards discharge of the said loan and that the learned Magistrate had erroneously acquitted the respondent stating that there are contradictions in the evidence of the Power of Attorney Agent of the petitioner.



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*cse*

3.This Court finds force in the submission made by the learned counsel for the petitioner and since, the question as to whether the cheque was issued for legally enforceable debt 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.

12.12.2024

*cse*

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