



Crl.OP No.25296 of 2024
in Crl.A SR.No.42750 of 2024

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SUNDER MOHAN, J.

The learned counsel for the petitioner would submit that the impugned judgment of the trial court has to be set aside since the learned Magistrate had taken into consideration the transactions of the husband of the respondent and had held that the respondent had repaid the loan and that the transactions of the husband are different and the respondent had independent transactions with the petitioner and the question as to whether the cheque was issued for legally enforceable debt requires consideration by this court in the instant appeal.

2. The learned counsel for the respondent would submit that the petitioner had realized all the money due to them as per the award passed by the Arbitrator and the trial court had therefore rightly acquitted the respondent.

3. The issues raised in the above appeal requires consideration and hence this court is inclined to grant leave. Accordingly, leave granted.

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

03.01.2025

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