



WEB COPY



Crl.OP No.22771 of 2024
in Crl.A SR.No.46161 of 2024

Crl.M.P.No.22771 of 2024
in Crl.A SR.No.46161 of 2024

SUNDER MOHAN, J.

The learned counsel for the petitioner would submit that the trial court had acquitted the respondent on an erroneous ground that the petitioner had not established his capacity to lend a sum of Rs.10,50,000/-; that the respondent had repaid the loan taken from the petitioner ; that the respondent had admitted the issuance of cheque and therefore the question as to whether the petitioner had established that the cheque was issued under legally enforceable debt has to be decided in the appeal.

2. The learned counsel for the respondent would submit that the trial court had rightly acquitted the respondent on the basis of Exs.D1 & D3 and also the evidence of DW1 & DW2 and therefore no interference is called for.

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

rgf



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rgr

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