

Court reduces fine for bounced cheque

The Dubai Court of Appeal reduced the primary verdict [a Dh100,000 fine] to Dh10,000 and ordered the 38-year-old businessman to pay that amount, after he was again found guilty of signing a bounced cheque.

- By Bassam Za'za', Senior Reporter
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Dubai: A court has slashed a Saudi businessman's fine from Dh100,000 to Dh10,000 for issuing a Dh4.8 million cheque which bounced to a woman over an island deal.

The Dubai Court of Appeal reduced the primary verdict [a Dh100,000 fine] to Dh10,000 and ordered the 38-year-old businessman to pay that amount, after he was again found guilty of signing a bounced cheque.

The businessman's lawyer Abdullah Al Nasser, of Araa Advocates and Legal Consultants, contended before the Appeals Court that when his client issued the cheque, it was based conditional purposes.

"The cheque was issued under the condition that my client wins a tender to buy an island in The World Project for his company," argued Al Nasser in his defence before Presiding Judge Aysar Fouad.

"Since he did not win the deal, the claimant was not eligible or entitled to take the cheque, which had been issued as a commission for her after concluding the deal."

The Dubai Misdemeanours Court had earlier fined the defendant Dh100,000 for issuing a bounce cheque and referred the woman's civil compensation claim of Dh200,000 to the Dubai Civil Court.

Dubai Public Prosecution and Al Nasser appealed the primary judgment, asking the Appeals Court to overturn it.

Prosecutors and the advocate claimed in their bills of appeal that the Misdemeanours Court had breached article 71 of the Federal Penal Code by fining the defendant with Dh100,000.

The appellants contended that Article 71 stipulated that a suspect who was tried before the Misdemeanours Court faced a maximum fine of Dh30,000.

The defendant argued the claimant did not deserve the cheque because she didn't meet conditions upon which he signed it.

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