



**213 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRA-AS-119-2015 (O&M)
Date of decision: 24.12.2025**

The Shri Shyam Cooperative Urban (NA) Thrift
and Credit Society Ltd., Hisar ...Appellant

VERSUS

Swai Singh Rathor ...Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Ram Kumar Saini, Advocate with
Mr. Ankit Saini, Advocate
for the appellant.

VINOD S. BHARDWAJ, J. (Oral)

The present appeal has been preferred against the judgment of acquittal dated 27.01.2015 passed by learned Judicial Magistrate Ist Class, Hisar in a case stemming from criminal complaint No.694-II of 2011 filed under Section 138 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.72,730/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 27.01.2015.

3. Learned counsel appearing on behalf of the appellant submits that in view of the judgment passed by the Hon'ble Supreme Court in *M/s. Celestium Financial vs. A. Gnanasekaran Etc., 2025(3) RCR (Criminal) 208*, the appellant would have a remedy before the Court of Sessions.



4. In view of the judgment rendered by the Apex Court in ***Celestium Financial (supra)***, the present appeal is **remanded** to the learned Sessions Judge, Hisar with a direction to entrust the same to appropriate Court for its disposal on merits.
5. The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Hisar forthwith.
6. Disposed of accordingly. Pending miscellaneous applications, if any, also stand disposed of.

24.12.2025
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No