



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

221

CRA-AS-54-2015

Date of decision: 17.09.2025

JARNAIL SINGH

...Applicant

VERSUS

SURESH KUMAR

...Respondents

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

Present :- Mr. Nilesh Kant Goyal, Advocate for
Mr. A.S. Virk, Advocate
for the appellant.

Mr. Gaurav Goel, Advocate for the respondent.
(Through Video Conferencing).

VINOD S. BHARDWAJ, J. (Oral)

The instant appeal has been filed against the judgment of acquittal dated 13.02.2014 passed by the learned Chief Judicial Magistrate, Kurukshetra in a case stemming from criminal complaint No.3 of 2013 filed under Section 138 and 142 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.10,00,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 13.02.2014.

3. Learned counsel appearing on behalf of the applicant 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 applicant 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, Kurukshetra with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. and 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, Kurukshetra forthwith.

6. Disposed of accordingly. Pending miscellaneous applications, if any, also stand disposed of.

17.09.2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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