

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2025:PHHC:164501



CRM-A-16-MA-2008 (O&M)
Date of decision: 27.11.2025

Union Territory, Chandigarh

...Applicant(s)

VERSUS

Jaspal Garg

...Respondent(s)

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

Present :- Mr. N.K. Vashist, Addl. P.P. for U.T. Chandigarh,
for the applicant-appellant.

VINOD S. BHARDWAJ, J. (Oral)

The present application has been preferred under Section 378(3) of the Code of Criminal Procedure, 1973 (hereinafter 'CR.P.C.') seeking grant of leave to appeal against the judgment of acquittal dated 31.07.2007 passed by the Chief Judicial Magistrate, Chandigarh, in a case stemming from PFA Case bearing No.165 dated 28.11.1997 filed under Sections 7(i), 2 (ia) (j) read with Section 16(1)(a)(i) and 16(1-A)9(i) of the Prevention of Food Adulteration Act, 1954.

2. Mr. B.S. Bhatia, Advocate, enters appearance and files power of attorney on behalf of the respondent.

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 application seeking leave to appeal is **remanded** to the learned Sessions Judge, Chandigarh, with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now Section 413 of the Bharatiya Nagarik Suraksha Sanhita, 2023) 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, Chandigarh, forthwith.

6. Disposed of accordingly.

7. Pending miscellaneous applications, if any, also stand disposed of.

November 27, 2025.
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(VINOD S. BHARDWAJ)
JUDGE

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