



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

234

CRM-A-218-2025 (O&M)

Date of decision: 13.11.2025

Lehna Singh

...Applicant(s)

VERSUS

Balkar Singh

...Respondent(s)

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

Present :- Mr. Sukhdev Singh, Advocate for
Mr. Divyam Singh, Advocate for the applicant(s).

VINOD S. BHARDWAJ, J. (Oral)

The present application has been preferred for seeking grant of leave to appeal against the order dated 20.01.2025 vide which the complaint in question was dismissed-in-default for want of prosecution by the learned Judicial Magistrate 1st Class, Panipat in a case stemming from complaint 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.5,55,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) on the ground of dismissal of the complaint for non-prosecution vide order dated 20.01.2025.

3. 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, Panipat with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (Section 413 of the Bharatiya Nagarik Suraksha Sanhita, 2023) and entrust the same to appropriate Court for its disposal on merits.

- 4. The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Panipat forthwith.
- 5. Disposed of accordingly.
- 6. Pending miscellaneous applications, if any, also stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

13.11.2025
Mangal Singh

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