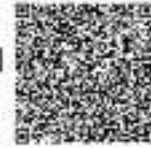


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226

2025:PHHC:171781



CRM-A-1215-MA-2018 (O&M)
Date of decision: 09.12.2025

Basanti

...Applicant(s)

VERSUS

State of Haryana and another

...Respondent(s)

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

Present :- Mr. Bikram Chaudhary, Advocate,
for the applicant-appellant.

Mr. Vivek Chauhan, Addl. A.G. Haryana.

Ms. Khushboo Sharma, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

The present application has been preferred under Section 378(4) of the Code of Criminal Procedure, 1973 (hereinafter 'CR.P.C.') seeking grant of leave to appeal against the judgment of acquittal dated 11.09.2015 passed by the Judicial Magistrate First Class, Faridabad, in a case stemming from Complaint Case No.112 dated 13.12.2007/22.04.2013 filed under Sections 323 324, 325, 452, 506 and 120-B of the Indian Penal Code, 1860.

It is noticed that after the dismissal of the complaint by the Judicial Magistrate First Class, Faridabad, acquitting the respondent No.2-accused, the petitioner filed a criminal Appeal bearing No.150 of 2015, before the Sessions

Judge, Faridabad, however, the same was withdrawn on the objection with respect to the maintainability vide order dated 19.05.2017.

Learned counsel appearing on behalf of the parties submit 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 appeal would be maintainable and the applicant would have a remedy before the Court of Sessions.

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, Faridabad. Criminal Appeal bearing No.150 of 2015 is ordered to be restored at its original number for adjudication on merits.

The Registry is directed to send a copy of the complete paper-book and the record of the case to the learned Sessions Judge, Faridabad, forthwith, to be tagged with Criminal Appeal bearing No.150 of 2015.

Disposed of accordingly.

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

December 09, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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