



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

231(2)

CRM-A-1879-MA-2016 (O&M)

Date of decision: 26.11.2025

CHETAN CHAWLA

...Applicant

VERSUS

MONIKA GHAI

...Respondent

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

Present :- Ms. Bhawna Kumari, Advocate with
Mr. Namit Khurana, Advocate
for the applicant.

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 06.09.2016 passed by the learned Judicial Magistrate, 1st Class Yamuna Nagar at Jagadhari in a case stemming from criminal complaint dated 29.08.2013 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.1,15,000/- After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 06.09.2016.

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, Yamuna Nagar at Jagadhari with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (Section 413 of BNSS) 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, Yamuna Nagar at Jagadhari forthwith.

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

NOVEMBER 26, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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