



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

229

CRM-A-206-MA-2018 (O&M)

Date of decision: 27.10.2025

NARESH KUMAR

...Applicant

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondents

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

Present :- Mr. H.K. Aurora, 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 25.10.2017 passed by the learned Judicial Magistrate, 1st Class Jalandhar in a case stemming from criminal complaint dated 24.04.2009 filed under Section 325, 341, 506, 427 read with Section 34 of the IPC.

2. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 25.10.2017.

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, Jalandhar with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now 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, Jalandhar forthwith.

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

OCTOBER 27, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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