



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

126

CRM-A-1241-MA-2014 (O&M)

Date of decision: 28.10.2025

ATUL MEHRA

...Applicant

VERSUS

JOGINDER LAL MEHRA & ANR

...Respondents

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

Present :- Mr. Utkarsh Khatana, Advocate for the applicant.

Mr. B.D. 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 29.01.2013 passed by the learned Chief Judicial Magistrate, Amritsar in a case stemming from criminal complaint case No. 129 dated 02.05.2005 filed under Sections 406, 420, 466, 467, 471 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 29.01.2013.

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, Amritsar 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, Amritsar forthwith.

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

(VINOD S. BHARDWAJ)
JUDGE

OCTOBER 28, 2025

Vishal Sharma

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