

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:086698



(139-A)

CRM-A-1674-MA-2014 (O&M)

Decided on : 16.07.2025

Jhilmal Singh

.....Applicant(s)

Versus

Sukhjinder Singh

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Ms. Jasneet Mehra, Advocate for
Mr. L.M. Gulati, Advocate for the applicant.

Sumeet Goel (Oral):

1. Learned counsel for the appellant has not disputed that in view of the dicta of the judgment of the Hon'ble Supreme Court passed in *M/s Celestium Financial Vs. A Gnanasekaran Etc., 2025 INSC 804* and passed by this Court in *Raj Kumar Vs. Rajender, 2025:PHHC:079740*, the appellant ought to approach the concerned Sessions Court in terms of Section 372 of Cr.P.C.

2. *Ergo*; in view of the dicta of the Hon'ble Supreme Court in *M/s Celestium Financial (supra)* as also the judgment of this Court in *Raj Kumar (supra)*; the present appeal, along with accompanying application(s), is disposed of as hereunder:

(i) The present appeal, along with accompanying application(s), is remitted to the learned Sessions Judge, Amritsar with a direction to treat the same as having been filed under Section 372 of Cr.P.C., 1973/Section 413 of BNSS, 2023. The said learned Sessions Judge may entrust the

appeal to himself or assign it to another Court of competent jurisdiction for its disposal, as per law.

(ii) Nleedless to clarify that this Court has not delved into the merits of the appeal as also along with accompanying application(s); and the same is left open for consideration of the concerned learned Sessions Court, which shall indubitably adjudicate the same without getting influenced by any observation made hereinabove.

(iii). The Registry is directed to send, expeditiously, the complete records of the present appeal (including the paper-book) to the said learned Sessions Judge.

July 16, 2025
Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No