



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

230

CRM-A-761-MA-2018 (O&M)

Date of decision: 22.09.2025

Dhan Singh

...Applicant/Appellant(s)

VERSUS

Sunil

...Respondent(s)

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

Present :- Mr. Anu Garg, Advocate for the Appellant(s).

VINOD S. BHARDWAJ, J. (Oral)

CRM-14528-2018

Application is allowed as prayed for.

Main case:

The present application has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 02.02.2018 passed by the learned Sub Divisional Judicial Magistrate, Siwani, District Bhiwani in a case stemming from complaint dated 04.09.2015/18.09.2015 filed under Section 138 of Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.4,00,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 02.02.2018.

3. Learned counsel for the appellant(s) fairly submits that in view of the judgment of the Hon'ble Supreme Court passed 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, Bhiwani with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. 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, Bhiwani forthwith.

6. Disposed of accordingly.

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

(VINOD S. BHARDWAJ)
JUDGE

22.09.2025

Mangal Singh

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