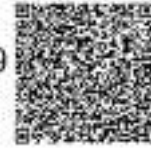


IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

231

2025:PHHC:160429



CRM-A-2534-MA-2017.  
Date of decision: 18.11.2025

Vinay

...Applicant(s)

VERSUS

Atma Ram and others

...Respondent(s)

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

Present :- Ms. Kritika, Advocate, (Legal-aid-counsel)  
for the applicant-appellant.

**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 03.07.2017 passed by the learned Judicial Magistrate First Class, Charkhi Dadri, stemming out from criminal complaint bearing No.153-1C dated 12.08.2014 filed under Sections 342, 323, 506, 217, 218, 166 and 167 of the Indian Penal Code, 1860.

2 No one has entered appearance on behalf of the applicant, hence, it is deemed expedient to nominate a Legal Aid Counsel. Ms. Kritika, Advocate, (PH-9846-2025, Mobile No.7986326538) who is present in the Court, is appointed as the Legal Aid Counsel to represent the case on behalf of applicant to arrive at a decision. She has gone through the case file and

submits that the present application has been filed against the judgment of acquittal dated 12.08.2014 passed by the learned Judicial Magistrate First Class, Charkhi Dadri, stemming out from criminal complaint bearing No.153-1C dated 03.07.2017 filed under Sections 342, 323, 506, 217, 218, 166 and 167 of the Indian Penal Code, 1860. She fairly 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.

3 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, Charkhi Dadri, with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now Section 413 of the Bharatiya Nagarik Suraksha Sanhita, 2023) and entrust the same to appropriate Court for its disposal on merits.

4 The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Charkhi Dadri, forthwith.

5 Disposed of accordingly.

6 A copy of this order be sent to the High Court Legal Service Committee for information and necessary action.

November 18, 2025.  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

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