



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

230

CRM-A-2580-MA-2017 (O&M)

Date of decision: 23.12.2025

Parmod Singhal

...Applicant(s)

VERSUS

Rakesh and others

...Respondent(s)

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

Present :- Mr. Pranav Arora, Advocate for the applicant(s)
(Legal Aid Counsel).

Mr. Ajay Kamboj, Advocate for the respondent(s).

VINOD S. BHARDWAJ, J. (Oral)

CRM-39339-2017

Prayer in the application is for condonation of delay of 39 days
in filing the application for leave to appeal.

For the reasons mentioned in the application, the same is
allowed and delay of 39 days in filing the application for leave to appeal is
condoned.

Main case:

The present application has been preferred seeking grant of
leave to appeal against the judgment of acquittal dated 23.08.2017 passed by
the learned Judicial Magistrate 1st Class, Hisar, in a case stemming from
complaint dated 10.02.2011 filed under Sections 323, 452, 506 of the Indian
Penal Code, 1860.

2. After assessing all the material available on the record, the

learned trial Court acquitted the respondent(s) vide judgment dated 23.08.2017.

3. It is noticed that the instant application pertains to the year 2017, however, no one has entered appearance on behalf of the applicant(s), hence, it is deemed expedient to nominate a Legal Aid Counsel. Mr. Pranav Arora, Advocate (PH/3946/2025, Mob. No.83603-14337), who is present in the Court, is appointed as the Legal Aid Counsel to represent the case on behalf of applicant(s) to arrive at a decision. He has gone through the case file and submits that the present application has been filed against the judgment of acquittal dated 23.08.2017 passed by the Judicial Magistrate 1st Class, Hisar, in complaint dated 10.02.2011 filed under Sections 323, 452, 506 of the Indian Penal Code, 1860. He 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. Vakalatnama on behalf of the respondents has been filed today in the Court and the same is taken on record. Registry is directed to tag the same at an appropriate place with page marking.

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

6. The Registry is directed to send the copy of complete paper-

book and the record of the case to the learned Sessions Judge, Hisar forthwith.

7. Disposed of accordingly.
8. Pending misc. application(s), if any, also stand disposed of.
9. A copy of this order be sent to the High Court Legal Service Committee for information and necessary action.

(VINOD S. BHARDWAJ)
JUDGE

23.12.2025

Mangal Singh

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