



Section 378(4) of the Cr.P.C. A Division Bench of this Court in Law Finder Doc ID # 2779901 titled as **‘Bawa Singh Vs. State of Punjab’** in a case pertaining to Sections 420, 467, 468, 471, 120-B IPC, has held that appeal against acquittal in a complaint case lies to the Court of Sessions in terms of Section 378(4) of the Cr.P.C. and the complainant in the complaint case qualifies as a victim under Section 2(wa) of the Cr.P.C. Resultantly, this Court deems it appropriate to direct the present appeal to be treated as one instituted under the proviso to under Section 372 of Cr.P.C.

4. Resultantly, present application is disposed of with a direction that the Sessions Judge concerned shall treat the present appeal as an appeal filed under the proviso to Section 372 of the Cr.P.C. and assign the same to an appropriate Court for disposal on merits, in accordance with law. The concerned Appellate Court shall proceed to decide the appeal expeditiously, without being impeded by any delay in filing the appeal, in view of the legal position now clarified by the Hon'ble Apex Court.

5. The Registry is directed to transmit this order along with copy of the complete paper book and return the trial Court record, if received, to the learned Sessions Judge.

6. Pending misc. application (s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

12.11.2025
Priyanka Thakur

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