



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-A-224-MA-2015 (O&M)

Date of decision: 28.10.2025

SONIA MALIK

...Applicant

VERSUS

JITENDER AND OTHERS

...Respondents

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

Present :- Mr. Raj Kumar Garg, Advocate
for the petitioner.

Mr. Tushar Kaushik, Advocate for
Mr. Ashish Pannu, Advocate for respondent No.1.

Mr. Aseem Garg, Advocate for
Mr. Vivek Goyal, Advocate
For respondent No.3.

VINOD S. BHARDWAJ, J. (Oral)

CRM-3812-2015

Prayer in the application is for condonation of delay of 159 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 159 days in filing the appeal is condoned.s

CRM-A-224-MA-2015

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 26.04.2014 passed by the learned Judicial Magistrate, 1st Class Gohana in a case

stemming from criminal complaint dated 06.11.2007/18.04.2008 filed under Sections 206, 207, 463, 464, 465, 466, 467, 468, 471, 472, 473, 120-B 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 26.04.2014.

3. Learned counsel appearing on behalf of the applicant 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.

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, Sonapat with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now Section 413 of BNSS) 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, Sonapat forthwith.

6. Disposed of accordingly. Pending miscellaneous applications, if any, also stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

OCTOBER 28, 2025

Vishal Sharma

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