



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-A-310-MA-2015 (O&M)

Date of decision: 28.10.2025

ARJUN SINGH

...Applicant

VERSUS

RAJ MATHUR

...Respondents

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

Present :- Mr. Ketan Antil, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-5663-2015

Prayer in the application is for condonation of delay of 1345 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 1345 days in filing the appeal is condoned.

CRM-A-310-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 order dated 31.03.2011 passed by the learned Chief Judicial Magistrate, Sonapat in a case stemming from criminal complaint dated 07.06.2006 filed under Section 420, 467, 468 and 471 of the Indian Penal Code, 1860.

2. After assessing all the material available on the record, the learned trial Court dismissed the complaint in default and discharged the accused vide order dated 31.03.2011.

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.

OCTOBER 28, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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