



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

244

CRM-A-297-2024 (O&M)
Date of decision: 06.11.2025

RAM KUMAR

...Applicant

VERSUS

SANTOSH

...Respondent

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

Present :- Mr. Amit Kohar, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-8853-2024

Prayer in the application is for condonation of delay of 18 days
in filing the appeal.

For the reasons mentioned in the application, the same is
allowed and delay of 18 days in filing the appeal is condoned.

CRM-8854-2024

Application is allowed as prayed for.

CRM-A-297-2024

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 04.12.2023
passed by the learned Judicial Magistrate, 1st Class Hisar in a case stemming
from criminal complaint dated 23.07.2016 filed under Sections 177, 200,
406, 420 & 120-B of the Indian Penal Code.

2. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 04.12.2023.

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, Hisar 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, Hisar forthwith.

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

NOVEMBER 06, 2025

Vishal Sharma

**(VINOD S. BHARDWAJ)
JUDGE**

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