



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

238

CRM-A-373-2023 (O&M)
Date of decision: 18.11.2025

Panipat Hire Purchase and Leasing Pvt. Ltd.

...Applicant(s)

VERSUS

Harpal Singh

...Respondent(s)

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

Present :- Mr. Ankit Kumar, Advocate
Mr. Pawan Kumar Hooda, Advocate for the applicant(s).

VINOD S. BHARDWAJ, J. (Oral)

The present application has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 20.01.2023 passed by the learned Judicial Magistrate 1st Class, Kalka, in a case stemming from complaint dated 01.02.2017 filed under Section 138 of Negotiable Instruments Act, 1881.

2. Learned counsel for the applicant(s) 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.

3. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.1,01,600/-. After assessing all the material available on the



238

CRM-A-373-2023 (O&M)

record, the learned trial Court acquitted the respondent(s) vide judgment dated 20.01.2023.

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, Panchkula 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.

5. The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Panchkula forthwith.

6. Disposed of accordingly.

7. Pending miscellaneous applications, if any, also stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

18.11.2025

Mangal Singh

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