



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

242

CRA-AS-107-2019 (O&M)
Date of decision: 28.10.2025

THE FAZILKA CENTRAL COOPERATIVE BANK LTD.

...Applicant

VERSUS

RAJA SINGH

...Respondent

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

Present :- Mr. Tushar Madaan, Advocate for
Mr. H.S. Deol, Advocate
the applicant.

VINOD S. BHARDWAJ, J. (Oral)

The present appeal has been filed against the judgment of acquittal dated 04.05.2017 passed by the learned Judicial Magistrate, 1st Class Abohar in a case stemming from criminal complaint dated 26.10.2013 filed under Section 138 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.4,01,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 04.05.2017.

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, Fazilka 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, Fazilka forthwith.

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

28.10.2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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