2025:PHHC:158845

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-A-639-2025 (O&M)
Date of decision: 17.11.2025

Karan Singh

....applicant-appellant

Versus

Ravinder Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

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Present : Mr. Kirpal Singh Thakur and Mr. Prikshit Thakur, Advocates for the applicant-appellant

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AMAN CHAUDHARY, J. (ORAL)

1. 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 05.03.2025 passed by the learned Sub Divisional Judicial Magistrate, Bilaspur in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter 'NI Act').

2. Hon'ble the Supreme Court in **M/s Celestium Financial vs. A. Gnanasekaran Etc.**, 2025 SCC OnLine 1320, held that an appeal is maintainable under the proviso of Section 372 Cr.P.C. (corresponding Section 413 of BNSS, 2023) against an order of acquittal passed in a complaint under Section 138 NI Act, by treating the complainant therein, as a 'victim' within the meaning under Section 2 (wa) of Cr.P.C, in view of which, the present appeal is disposed of by directing the concerned Sessions Judge, for treating it to have been filed under Section 372 of Cr.P.C. and assigning the same to the Court concerned for deciding it.

3. Registry is directed to send the complete paper-book and trial Court record, if received, along with the said order forthwith, while also informing the parties.

17.11.2025 **(AMAN CHAUDHARY)**
M.Kamra **JUDGE**

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

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integrity of this document