



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-A-620-2025 (O&M)
Date of decision: 17.11.2025

Ashok Kumar HUF

.....Applicant

Versus

Arun Chugh

.....Respondent

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

Present: Ms. Pavneet Kaur, Advocate (Legal Aid counsel)
for the applicant-appellant.

VINOD S. BHARDWAJ, J.(Oral)

The present application has been preferred under Section 419 (4) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter 'BNSS') (earlier 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 15.01.2025 passed by learned Judicial Magistrate 1st Class, SAS Nagar in a case stemming from complaint bearing No. CIS/NACT/267/2021 filed under Section 138/142 of the Negotiable Instruments Act, 1881 (hereinafter 'NI Act') and 420 of the Indian Penal Code, 1860 (hereinafter 'IPC').

2. No one has entered appearance on behalf of the applicant, hence, it is deemed expedient to nominate a Legal Aid Counsel. Ms. Pavneet Kaur, Advocate, (PH/10664/2025), who is present in the Court, is appointed as the Legal Aid Counsel to represent the case on behalf of the applicant to arrive at a decision. She has gone through the case file and submits that the present application has been filed against the judgment of acquittal dated 15.01.2025 passed by the learned Judicial Magistrate First Class, SAS Nagar, stemming out

from complaint bearing No.CIS/NACT/267/2021, filed under Section 138/142 of the Negotiable Instruments Act, 1881 and Section 420 of IPC. She fairly 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.

3. The complaint (supra) was filed on the ground of dishonour of two cheque(s) of Rs.50,000/- each. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 15.01.2025.

4. In view of the judgment rendered by the Apex court in Celestium Financial (supra), the present applicant seeking leave to appeal is remanded to the learned Sessions Judge, SAS Nagar with a direction to treat the same as an appeal filed under Section 413 of the 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, SAS Nagar forthwith.

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

7. A copy of this order be sent to the High Court Legal Service Committee for information and necessary action.

17.11.2025
Harish Kumar

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No