

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

**CRM-A-1085-2024 (O&M)
Date of decision: 17.11.2025**

Daljit Singh

.....Applicant

Versus

Kulwinder Singh Grover

.....Respondent

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

Present: Mr. Pranav Arora, Advocate (Legal-aid-counsel)
for the applicant-appellant.

VINOD S. BHARDWAJ, J.(Oral)

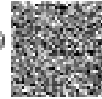
CRM-31204-2024

Prayer in the present application is for condonation of delay of 96 days in filing the application for leave to appeal.

For the reasons mentioned in the application, the same is allowed and delay of 96 days in filing the appeal is condoned.

Main case

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 16.01.2024 passed by learned Judicial Magistrate First Class, Dasuya in a case stemming from complaint bearing No. CIS/NACT/143-2020 filed under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter 'NI Act').



2. No one has entered appearance on behalf of the applicant, hence, it is deemed expedient to nominate a Legal Aid Counsel. Mr. Pranav Arora, Advocate, (PH/3946/2025), 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. He has gone through the case file and submits that the present application has been filed against the judgment of acquittal dated 16.01.2024 passed by the learned Judicial Magistrate First Class, Dasuya, stemming out from complaint bearing No.CIS/NACT/143/2020, filed under Section 138 of the Negotiable Instruments Act, 1881. He 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 cheques of Rs. 1,00,000/- each. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 16.01.2024.

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, Hoshiarpur with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now 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, Hoshiarpur 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
<i>Whether Reportable</i>	<i>Yes/No</i>