

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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2025.PHHC.176560



CRM-A-891-2024 (O&M)
Date of decision: 18.12.2025

Sudhir Kumar

...Applicant(s)

VERSUS

Subhash Kumar

...Respondent(s)

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

Present :- None

VINOD S. BHARDWAJ, J. (Oral)

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 12.03.2024 passed by the Judicial Magistrate First Class, Faridkot, in a case stemming from Case bearing CIS No.NACT-283-2020 in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881 on account of dishonour of cheque bearing No.245192 dated 29.12.2019 for a sum of Rs.3 lakhs.

2. 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. 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, Faridkot, 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.

- 4. The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Faridkot, forthwith.
- 5. Disposed of accordingly.
- 6. Pending miscellaneous applications, if any, also stand disposed of.

December 18, 2025.
raj arora

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No

(VINOD S. BHARDWAJ)
JUDGE