



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

267

CRM-A-915-2025

Date of decision: 17.07.2025

M/s Shriram Transport Finance Company Ltd.

...Appellant

Versus

Dayanti

...Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present : Mr. G.S. Sandhu, Advocate
for the appellant.

SANDEEP MOUDGIL, J.(ORAL)

1. The present application has been preferred under Section 419(4) BNSS, 2023 (378(4) of Cr.P.C.) seeking grant of leave to appeal the judgment of acquittal dated 17.03.2025 passed by the learned Judicial Magistrate Ist Class, Pathankot, in a case stemming from complaint dated 03.03.2020 filed under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter 'NI Act').

2. The Hon'ble Supreme Court in *M/s Celestium Financial vs. A. Gnanasekaran Etc., 2025(3) RCR (Criminal) 208*, after considerable discussion and comparative interpretation of Sections 372 and 378(4) of Cr.P.C., concluded that the victim has a right to file an appeal under Section 372 of Cr.P.C. before the Court of Sessions.

3. Therefore, in view of the judgment rendered by the Apex Court in *Celestium Financial (supra)*, the present application seeking leave to appeal is remanded back to the learned Sessions Judge, Pathankot with a direction to treat the same as filed under Section 372 of the Cr.P.C. and entrust it to appropriate Court for its disposal.

4. The Registry is directed to send the complete paper-book and



the record of the case to the learned Sessions Judge, Pathankot forthwith.

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

(SANDEEP MOUDGIL)
JUDGE

17.07.2025

Hemant

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