



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

240

CRA-AS-168-2019 (O&M)
Date of decision: 31.10.2025

AJAY JALOTA

...Applicant

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondents

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

Present :- Mr. Ajay Chaudhary, Advocate
Mr. Diwan S. Aulakh, Advocate and
Mr. Deepak K. Sharma, Advocate
for the appellant.

Mr. G.C. Shahpuri, Advocate with
Mr. Lokesh Shivansh, Advocate
For respondent No.2. s

VINOD S. BHARDWAJ, J. (Oral)

The present appeal has been filed seeking grant of leave to appeal against the judgment of acquittal dated 21.07.2016 passed by the learned Judicial Magistrate, 1st Class Yamuna Nagar at Jagadhri in a case stemming from criminal complaint No. 938 dated 06.05.2014 filed under Section 138 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs. 4 lacs. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 21.07.2016.

3. Learned counsel appearing on behalf of the appellant 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 appellant would have a remedy before the Court of Sessions.

4. 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, Yamuna Nagar at Jagadhri with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now Section 413 of 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, Yamuna Nagar at Jagadhri forthwith.

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

OCTOBER 31, 2025

Vishal Sharma

**(VINOD S. BHARDWAJ)
JUDGE**

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