



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-A-806-2023 (O&M)
Date of decision: 13.11.2025

AJAY GULYANI

...Applicant

VERSUS

MANOJ KUMAR JANGRA

...Respondents

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

Present :- Mr. Utkarsh Sheoran, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-26905-2023

Application is allowed as prayed for.

CRM-A-806-2023

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 25.04.2023 passed by the learned Judicial Magistrate, 1st Class Hisar in a case stemming from criminal complaint dated 06.10.2020 filed under Section 138 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheques bearing No. 076546 dated 24.06.2020, amounting to Rs. 1,75,000/- and cheque bearing No. 076545 dated 01.09.2020 amounting to Rs. 1,25,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 25.04.2023.

3. Learned counsel appearing on behalf of the applicant 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.

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, Hisar 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, Hisar forthwith.

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

NOVEMBER 13, 2025

Vishal Sharma

**(VINOD S. BHARDWAJ)
JUDGE**

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