



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

CRM-A-853-2024 (O&M)
Date of decision: 17.11.2025

Bhushan Power and Steel Ltd.

.....Applicant

Versus

M/s Advance Power Controls Ltd. and another

.....Respondents

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

Present: Mr. Saurabh Gulia, Advocate
for the applicant-appellant.

VINOD S. BHARDWAJ, J.(Oral)

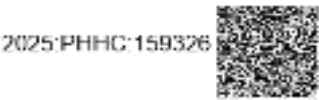
CRM-25553-2024

Prayer in the present application is for condonation of delay of 39 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 39 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 19.02.2024 passed by learned Judicial Magistrate First Class, UT, Chandigarh, stemming out from criminal complaint bearing No. 11477/2017, filed under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter 'NI Act').



2. The complaint (supra) was filed on the ground of dishonour of cheque Rs.10,10,394/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 19.02.2024.
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 applicant seeking leave to appeal is remanded to the learned Sessions Judge, UT, Chandigarh 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, Chandigarh forthwith.
6. Disposed of accordingly. Pending miscellaneous applications, if any, also stand disposed of.

17.11.2025
Harish Kumar

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No