



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

246-2

CRM-A-1103-2024 (O&M)

Date of decision: 22.09.2025

Amar Autotech Private Limited

...Applicant/Appellant(s)

VERSUS

Sunder Hemrajani and others

...Respondent(s)

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

Present :- Ms. Bhavi Kapur, Advocate for the Appellant(s).

VINOD S. BHARDWAJ, J. (Oral)

The present application has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 26.02.2024 passed by the learned Judicial Magistrate 1st Class, Ludhiana, in a case stemming from complaint dated 14.03.2016 filed under Section 138 of Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.12,26,605/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 26.02.2024.

3. Learned counsel for the appellant(s) fairly submits that in view of the judgment of the Hon'ble Supreme Court passed 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, Ludhaina with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. 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, Ludhiana forthwith.
- 6. Disposed of accordingly. Pending miscellaneous applications, if any, also stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

22.09.2025
Mangal Singh

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