



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

225

CRM-A-1554-2023 (O&M)
Date of decision: 11.11.2025

Baljinder Singh

...Applicant(s)

VERSUS

Balraj @ Bali

...Respondent(s)

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

Present :- Mr. Rhythem Bajaj, Advocate for the applicant(s).

VINOD S. BHARDWAJ, J. (Oral)

CRM-47114-2023

Application is allowed as prayed for subject to all just exceptions.

Main case:

The present application/appeal has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 17.05.2023 passed by the learned Judicial Magistrate 1st Class, Abohar, in a case stemming from complaint dated 15.03.2019 filed under Section 138 of Negotiable Instruments Act, 1881.

2. 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.

3. The complaint (supra) was filed on the ground of dishonour of

cheque of Rs.5,20,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 17.05.2023.

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, Fazilka with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (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, Fazilka forthwith.

6. Disposed of accordingly.

7. Pending miscellaneous applications, if any, also stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

11.11.2025

Mangal Singh

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