

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

241

2025:PHHC:153152



CRA-AS-357-2023 (O&M)
Date of decision: 06.11.2025

Nikhil Tyagi

...Applicant(s)

VERSUS

Azad Singh

...Respondent(s)

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

Present :- Mr. Arun Singal, Advocate,
for the appellant.

VINOD S. BHARDWAJ, J. (Oral)

Application 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 17.12.2018 passed by the Judicial Magistrate First Class, Panipat, in a case stemming from criminal complaint bearing No.CIS/NACT/1550/2016 filed under Section 138 of the Negotiable Instruments Act, 1881 was allowed vide order dated 18.07.2023 and leave to appeal was granted.

2. 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 applicant would have a remedy before the Court of Sessions.

- 3. In view of the above, present case is **remanded** to the learned Sessions Judge, Panipat, who will be at liberty to entrust the same to appropriate Court for its disposal on merits.
- 4. The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Panipat, forthwith.
- 5. Disposed of accordingly.
- 6. Pending miscellaneous applications, if any, also stand disposed of.

November 06, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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