



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

233

CRM-A-2109-2019 (O&M)
Date of decision: 23.09.2025

Puran Chand

... Appellant(s)

VERSUS

State of Punjab and another

...Respondent(s)

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

Present :- Mr. Sachin Gupta, Advocate for the Appellant(s).

Mr. I.P.S. Sabharwal, DAG Punjab.

Mr. J.S. Saini, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

The present application has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 15.06.2019 passed by the learned Judicial Magistrate 1st Class, Gurdaspur, in a case stemming from complaint dated 05.11.2015 filed under Section 138 of Negotiable Instruments Act, 1881.

2. Vakalatnama on behalf of respondent No.2 has been filed today in the Court and the same is taken on record.

3. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.3,00,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 15.06.2019.

4. 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



233

CRM-A-2109-2019 (O&M)

applicant would have a remedy before the Court of Sessions.

5. 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, Gurdaspur 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.

6. The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Gurdaspur forthwith.

7. Disposed of accordingly.

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

(VINOD S. BHARDWAJ)
JUDGE

23.09.2025

Mangal Singh

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