



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

246

CRA-AS-245-2024 (O&M)
Date of decision: 29.10.2025

MOTI LAL

...Applicant

VERSUS

INDERJEET

...Respondent

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

Present :- Mr. Vikas Saroha, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

The present appeal has been filed against the judgment of acquittal dated 11.10.2018 passed by the learned Judicial Magistrate, 1st Class Faridabad in a case stemming from criminal complaint dated 21.09.2015 filed under Section 138 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of two cheques i.e. cheque bearing No. 622161 dated 13.07.2015 of Rs.2,00,000/- and cheque bearing No. 622162 dated 15.07.2015 for Rs. 2,00,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 11.10.2018.

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 application seeking leave to appeal

is **remanded** to the learned Sessions Judge, Faridabad with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now Section 413 of BNSS) 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, Faridabad forthwith.

6. Disposed of accordingly. Pending miscellaneous applications, if any, also stand disposed of.

OCTOBER 29, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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