



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

237

CRA-AS-443-2023 (O&M)
Date of decision: 19.11.2025

Tilak Raj @ Tilak Singh

... Appellant(s)

VERSUS

Urmil Jawalia

...Respondent(s)

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

Present :- Mr. A.S. Khaira, Advocate for the Appellant(s).

Mr. Amrit Paul Nahar, Advocate for
Mr. Munish Puri, Advocate for the respondent(s).

VINOD S. BHARDWAJ, J. (Oral)

The present appeal has been preferred against the judgment of acquittal dated 07.11.2013 passed by the learned Chief Judicial Magistrate, Pathankot, in a case stemming from complaint dated 21.11.2011 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 two cheques of Rs.25,000/- each; and three cheques of Rs.1,00,000/- each.. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 07.11.2013.

4. In view of the judgment rendered by the Apex Court in

Celestium Financial (supra), the present appeal is **remanded** to the learned Sessions Judge, Pathankot 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, Pathankot forthwith.

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

(VINOD S. BHARDWAJ)
JUDGE

19.11.2025

Mangal Singh

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