



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

235

CRM-A-1699-2024 (O&M)
Date of decision: 17.09.2025

SANTOSH RANI

...Applicant

VERSUS

SATISH KUMAR

...Respondents

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

Present :- Mr. Jigerjeet Singh, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-50510-2024

Prayer in the application is for condonation of delay of 38 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 38 days in filing the appeal is condoned.

CRM-A-1699-2024

The present application has been preferred 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 10.07.2024 passed by the Judicial Magistrate, 1st Class, Chandigarh in a case stemming from criminal complaint dated 01.12.2020 filed under Section 138 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheques of Rs.10,00,000/- and Rs. 3,50,000/- respectively. After assessing

all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 10.07.2024.

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

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

(VINOD S. BHARDWAJ)
JUDGE

17.09.2025
Vishal Sharma

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