



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

235

CRA-AS-30-2016 (O&M)

Date of decision: 28.10.2025

M/S AMRIT AGROVET PVT. LTD.

...Applicant

VERSUS

SANJEET

...Respondent

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

Present :- Mr. Tapan Yadav, Advocate for
Mr. Ashutosh Sharma, Advocate
for the applicant.

Mr. Rajesh Lamba, Advocate with
Mr. Abhinav Kaushik, Advocate
for the respondent.

VINOD S. BHARDWAJ, J. (Oral)

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 16.08.2013 passed by the learned Judicial Magistrate, 1st Class Gurgaon in a case stemming from criminal complaint dated 02.07.2011/17.04.2012 filed under Section 138 read with Section 142 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.3,34,180/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 16.08.2013.

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, Gurugram 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, Gurugram forthwith.

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

OCTOBER 28, 2025*Vishal Sharma***(VINOD S. BHARDWAJ)
JUDGE**

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