



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

227

CRM-A-2906-2019

Date of decision: 24.09.2025

SMT. PREMWATI

...Applicant

VERSUS

RAJ PAL SINGH AND OTHERS

...Respondents

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

Present :- Ms. Niyati Dhiman as Legal Aid Counsel,
for the applicant.

Ms. Jahnvi, Advocate for
Mr. Vineet Chaudhary, 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 13.08.2019 passed by the learned Additional Chief Judicial Magistrate, Ambala stemming out from complaint dated 31.10.2009/27.02.2013 filed under Sections 420, 423, 467, 468, 471 and 120-B of the Indian Penal Code, 1860.

2. It is noticed that the instant application pertains to the year 2019, however, no one has entered appearance on behalf of the applicant, hence, it is deemed expedient to nominate a Legal Aid Counsel. Ms. Niyati Dhiman, Advocate, Enrollment No. PH/6455/2025, Mobile No. 8059299019 who is present in the Court, is appointed as the Legal Aid Counsel to represent the case on behalf of applicant to arrive at a decision. She has gone

through the case file and submits that the present application has been filed against the judgment of acquittal dated 13.08.2019 passed by the Additional Chief Judicial Magistrate, Ambala, in complaint case No. 29 of 2013 filed under Sections 420, 423, 467, 468, 471 and 120-B of the Indian Penal Code, 1860. She fairly 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.

3. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 13.08.2019.

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, Ambala 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.

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

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

7. A copy of this order be sent to the High Court Legal Service Committee for information and necessary action.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 24, 2025

Vishal Sharma

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