



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

239

CRM-A-1715-2023 (O&M)

Date of decision: 18.11.2025

Sunshine Packaging Enterprises

...Applicant(s)

VERSUS

Shree Packaging Industries

...Respondent(s)

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

Present :- Mr. Jaswinder Singh Rana, Advocate and  
Mr. Parminder Singh, Advocate for the applicant(s).

M. Rahil Kumar, Advocate for  
Mr. Manan, Advocate for the respondent(s).

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**VINOD S. BHARDWAJ, J. (Oral)**

The present application has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 06.09.2023 passed by the learned Judicial Magistrate 1st Class, Karnal, in a case stemming from complaint dated 19.09.2018 filed under Section 138 of Negotiable Instruments Act, 1881.

2. Learned counsel for the applicant(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 cheque of Rs.3,00,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment



dated 06.09.2023.

- 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, Karnal 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, Karnal forthwith.
- 6. Disposed of accordingly.
- 7. Pending miscellaneous applications, if any, also stand disposed of.

(VINOD S. BHARDWAJ)  
JUDGE

18.11.2025  
Mangal Singh

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