



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

229

CRM-A-10882-MA-2018

Date of decision: 18.09.2025

PARVEEN KUMAR, M/S AGGARWAL FINANCE COMPANY  
ISMAILABAD

...Applicant

VERSUS

ASHWANI KUMAR

...Respondents

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

Present :- None.

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**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 10.09.2018 passed by the learned Judicial Magistrate, 1<sup>st</sup> Class, Pehowa in a case stemming from criminal complaint No.151 of 2013 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.3,00,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 10.09.2018.

3. It is revealed 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, Kurukshetra 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, Kurukshetra forthwith.

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

**18.09.2025**

*Vishal Sharma*

**(VINOD S. BHARDWAJ)  
JUDGE**

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