



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

119

CRM-A-10892-MA-2018 (O&M)

Date of decision: 30.10.2025

Indervesh

...Applicant/Appellant(s)

VERSUS

Deepak Prashar and others

...Respondent(s)

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

Present :- Mr. Vivek Gupta, Advocate for the applicant(s)/Appellant(s)
(through V.C.).

VINOD S. BHARDWAJ, J. (Oral)

CRM-42354-2025

The instant application has been filed for fixing the actual date of hearing in the main case, which is pending for hearing but no actual date has been fixed after 26.09.2024.

For the reasons mentioned in the application, the same is allowed. The main case is taken on Board for hearing today itself.

Main case:

The present application/appeal has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 04.09.2018 passed by the learned Judicial Magistrate 1st Class, Dhuri, in a case stemming from complaint dated 21.01.2015 filed under Section 138 of Negotiable Instruments Act, 1881.

2. Learned counsel for the applicant(s)/appellant(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.2,40,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 04.09.2018.

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, Sangrur 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, Sangrur forthwith.

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

(VINOD S. BHARDWAJ)
JUDGE

30.10.2025

Mangal Singh

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