



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

230

CRM-A-1799-2023

Date of decision: 17.09.2025

ANIL KUMAR

...Applicant

VERSUS

MOHAN AND ANOTHER

...Respondents

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

Present :- Mr. Sandeep Kumar Yadav, Advocate
for the applicant.

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 16.11.2023 passed by the learned Judicial Magistrate First Class, Mohindergarh stemming out from complaint dated 07.11.2016/31.01.2019 filed under Section 167, 201, 211, 203 and 120-B of the Indian Penal Code, 1860.

2. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 16.11.2023.

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, Narnaul 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, Narnaul forthwith.

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

(VINOD S. BHARDWAJ)
JUDGE

17.09.2025
Vishal Sharma

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