



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-A-1359-2024 (O&M)
Date of decision: 12.11.2025

AMARJIT KAUR

...Applicant

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

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

Present :- Mr. Amaninder Singh Sekhon, Advocate for the applicant.

Mr. Gurbhej Singh, Advocate for respondents No. 2, 3, 4 and 5.

VINOD S. BHARDWAJ, J. (Oral)

CRM-41868-2024

Prayer in the application is for condonation of delay of 198 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 198 days in filing the appeal is condoned.

CRM-A-1359-2024

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/order dated 19.10.2023 passed by the Additional Chief Judicial Magistrate, Faridkot in a criminal case No. COMI/53/2017 whereby the trial Court has not convicted the accused/respondents No. 2 to 5 under Section 354/324/506/120-B/148/149 of the IPC and also for not awarding compensation to the victims as required under Section 357 Cr. P.C.

2. 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.
3. 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, Faridkot with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now Section 413 of BNSS) and entrust the same to appropriate Court for its disposal on merits.
4. The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Faridkot forthwith.
5. Disposed of accordingly. Pending miscellaneous applications, if any, also stand disposed of.

NOVEMBER 12, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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