



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-A-344-2025 (O&M)
Date of decision: 08.12.2025

Kewal Krishan Nagpal (since deceased) through LRs ...Applicant(s)

VERSUS

State of Punjab and another ...Respondent(s)

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

Present :- Mr. Nikhil Thanman, Advocate for the applicant(s).

VINOD S. BHARDWAJ, J. (Oral)

CRM-8918-2025

Prayer in the application is for condonation of delay of 41 days in filing the application for leave to appeal.

For the reasons mentioned in the application, the same is allowed and delay of 41 days in filing the application for leave to appeal is condoned.

Main case:

The present application has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 25.10.2024 passed by the learned Chief Judicial Magistrate, Fazilka, in a case stemming from complaint dated 11.09.2014 filed under Sections 420, 465, 471, 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

25.10.2024.

3. 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.

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, Fazilka 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, Fazilka forthwith.

6. Disposed of accordingly.

7. Pending miscellaneous applications, if any, also stand disposed of.

(VINOD S. BHARDWAJ)
JUDGE

08.12.2025

Mangal Singh

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