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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.L.P. 111/2025, CRL.M.A. 5561/2025 (For filing additional evidence)

GULSHAN FINANCE PVT LTD

.....Petitioner

Through: Mr. Gladson Rodrigues, Mr. Rajiv Ranjan Prasad, Mr. Vivekanand Singh, Ms. Somya Chauhan, Ms. Shambhavi Jaiswal, Mr. Sachin Chaudhary, Mr. Naunihal Yadav, Mr. Ajay Arora, Advocates.

versus

SHIV SHANKAR AGGARWAL

.....Respondent

Through: Mr. Raghvender Singh, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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12.11.2025

1. The present Criminal Leave Petition under Section 419 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*Section 378(4) of the Code of Criminal Procedure, 1973*), has been filed on behalf of the Petitioner, against the impugned Judgment dated 15.10.2024 of learned Judicial Magistrate First Class, South-East District, Saket Court Complex, New Delhi *vide* which the Respondent has been acquitted in the Complaint Case No.457/2021 under Section 138 of the Negotiable Instruments Act, 1881.
2. In view of the Judgment of *Celestium Financial vs. A. Gnanasekaran*, 2025, SCC OnLine SC 1320 and Order of this Court in CRL.L.P.215/2021 dated 23.07.2025, the present matter is disposed of with the direction that



the present Petition be treated as an Appeal under the proviso to Section 372 of Cr.P.C. and numbered accordingly.

3. In case, there is Application pending for Condonation of Delay, the same be also transferred along with the entire record to be considered by the learned ASJ in accordance with law.

4. The Registry is directed to transfer entire record of the case including the requisitioned copy of TCR, to the Learned Principal District & Sessions Judge, South-East District, Saket Court Complex, New Delhi, for marking it to the concerned Judicial Magistrate First Class, on 26.11.2025.

5. The parties are directed to appear before the concerned learned Principal District & Sessions Judge on 26.11.2025.

6. It is hereby, clarified that there are no observations as to the merits of the case. All rights and contentions of the parties are left open to be agitated before the Court concerned.

7. In view of the above, the present Appeal is disposed of along with the pending Application(s), if any.

NEENA BANSAL KRISHNA, J

NOVEMBER 12, 2025/RS