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

+ CRL.L.P. 49/2021

SANJAY KUMAR JAIN

.....Petitioner

Through: Mr. Aditya Jain and Mr. Satyam
Shivaach, Advocates (through VC)

versus

ATUL SHARMA

.....Respondent

Through: Mr. Asutosh Lohia and Ms. Rishika
Jain, Advocates

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **08.08.2025**

1. The present Criminal Leave Petition under Section 378(4) of the Code of Criminal Procedure, 1973, has been filed on behalf of the Petitioner against the impugned Judgment dated 30.01.2020 of learned MM, Central District, Tis Hazari Courts, Delhi in Complaint Case No. 535428/2016 *vide* which the Respondent has been acquitted in the Complaint under Section 138 of the N.I. Act.
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 direction that the present Petition be treated as an Appeal under the proviso to Section 372 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, Central District, Tis Hazari Courts, Delhi for marking it to the concerned Appellate Court/learned ASJ, on 01.09.2025.
5. The parties are directed to appear before the concerned learned Principal District & Sessions Judge on 01.09.2025.
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 Leave to Appeal is disposed of along with the pending Application(s), if any.

NEENA BANSAL KRISHNA, J

AUGUST 8, 2025

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