



\$~11

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

+ CRL.L.P. 130/2021

ANIL KUMAR

.....Petitioner

Through: Mr. Sunil Choudhary, Advocate.

versus

AMIT MALIK

.....Respondent

Through: Mr. Rahul Yadav and Mr. Vishwam
Dwivedi, Advocates.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

13.08.2025

1. The present Criminal Leave Petition under Section 378(3) of the Code of Criminal Procedure, 1973, has been filed on behalf of the Petitioner, against the impugned Judgment dated 25.08.2021 of learned MM, South-East District, Saket Courts, Delhi in Ct. Case No.616863/2016 vide which the Respondent has been acquitted in Complaint under Section 138 NI 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 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 Courts, Delhi for marking it to the concerned Appellate Court/ learned ASJ, on 08.09.2025.

5. The parties are directed to appear before the concerned learned Principal District & Sessions Judge, South-East District, Saket Courts on 08.09.2025.

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 Appeal is disposed of along with the pending Application(s), if any.

NEENA BANSAL KRISHNA, J.

AUGUST 13, 2025/R