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

+ CRL.L.P. 704/2019

ASHU GUPTA

.....Petitioner

Through: Appearance not given.

versus

K. SHAMEEN

.....Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

25.07.2025

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1. The present Criminal Leave Petition under Section 378 of the Code of Criminal Procedure, 1973, has been filed on behalf of the Petitioner, against the impugned Judgment dated 28.09.2019 of learned MM, Central District, Tis Hazari Courts, Delhi in CC No. 534752/2016 *vide* which the Respondent has been acquitted in the Complaint under Section 138 of 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 of the 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 20.08.2025.

5. The parties are directed to appear before the concerned learned Principal District & Sessions Judge on 20.08.2025.

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

JULY 25, 2025/va