

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

161

2026:PHHC:004517



CRA-S-3020-SB-2009 (O&M)
Date of decision: 15.01.2026.

M/s Sai Traders

...Applicant(s)

VERSUS

M/s Continental Tex Prints Pvt. Limited and others.

...Respondent(s)

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

Present :- Mr. Karan Duggal, Advocate,
for the applicant-appellant.

VINOD S. BHARDWAJ, J. (Oral)

The present appeal has been preferred against the judgment of acquittal dated 16.01.2008 passed by the Judicial Magistrate First Class, Faridabad, in a case stemming from complaint case bearing No.RBT-740 dated 01.05.1997 filed under Section 138 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.32,450/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 16.01.2008.

3. Learned counsel appearing on behalf of the appellant submits that in view of the judgment passed by the Hon'ble Supreme Court in M/s.

Celestium Financial vs. A. Gnanasekaran Etc., 2025(3) RCR (Criminal)

208, the appellant 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 appeal is **remanded** to the learned Sessions Judge, Faridabad, with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now 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, Faridabad, forthwith.

6. Disposed of accordingly.

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

January 15, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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