



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

201

CRA-S-2902-SB-2010 (O&M)

Date of Decision : 22.05.2026

M/S DEVDHAR TIMBER, JAGADHRI

.... APPELLANT

V/S

SADHU RAM

.... RESPONDENT

CORAM : HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI

Present : Mr.Kapil Aggarwal, Advocate
for the appellant.

None for the respondent.

RAMESH CHANDER DIMRI, J. (Oral)

1. The appellant filed a criminal complaint under Section 138 of the Negotiable Instruments Act, 1881 read with Section 420 IPC against the respondent in the Court of the Magistrate concerned at Jagadhari. Amount of cheque involved in the said complaint was Rs.8,50,000/- (Rupees Eight Lakhs Fifty Thousand Only). The allegations in it were that the said cheque was issued for discharge of a legally enforceable liability but when it was presented for encashment, it was dishonoured compelling the complainant to issue the statutory notice under the said Section and for non-compliance of the said notice, to file the said complaint.
2. The respondent/accused, on being summoned in the said complaint, appeared. Thereafter, the concerned Magistrate charge-sheeted him. On conclusion of trial of the said complaint, the respondent/accused was acquitted of the charges framed against him in the same on



3. Aggrieved of the said judgment of acquittal, the appellant filed the present appeal. Leave to appeal was granted and the appeal was admitted. During its pendency, the Hon'ble Supreme Court has rendered the report *M/s. Celestium Financial vs. A. Gnanasekaran Etc., 2025(3) RCR (Criminal) 208* observing therein that after amendment of the Code of Criminal Procedure w.e.f. 31.12.2009, a victim of a crime, in terms of Section 372 of the said Code, had a right to file appeal against a judgment of acquittal to the Court to which the appeals against the judgment of convictions are filed as per the said Code. The impugned judgment was passed on 17.02.2010. The present appeal with leave to appeal was filed in this Court on 02.03.2010.

4. In view thereof, the present appeal is ordered to be sent to the learned Sessions Judge, Yamuna Nagar at Jagadhari for disposal in accordance with law. It, in turn, may keep the same in its roster or may assign it to any other Court of competent jurisdiction. The appellant is directed to appear before it on 07.07.2026.

5. A photostate copy of the record of the appeal in question, however, be retained.

6. Appeal stands disposed of accordingly. All interim application(s), if any, is/are also disposed of.

(RAMESH CHANDER DIMRI)
JUDGE

22.05.2026

anju

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No