

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

231

2026:PHHC:062551



CRM-A-1147-MA-2017 (O&M)
Date of decision: 23.04.2026.

Chaman Singh

...Applicant(s)

VERSUS

State of Punjab and others

...Respondent(s)

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

Present :- Ms. Roja Agnihotri, Advocate,
for the applicant-appellant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-17363-2017

Application is allowed as prayed for subject to all just exceptions.

Main case

The present application has been preferred under Section 378(4) of the Code of Criminal Procedure, 1973 (hereinafter 'Cr.P.C.') seeking grant of leave to appeal against the judgment of acquittal dated 27.02.2017 passed by the Chief Judicial Magistrate, Hoshiarpur, in a case stemming from complaint bearing CIS No.3074/2013 dated 26.03.2012 filed under Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Sections 153-A, 500, 506 and 34 of the Indian Penal Code, 1860.

2 Learned counsel appearing on behalf of the applicant 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 applicant would have a remedy before the Court of Sessions.

3 In view of the judgment rendered by the Apex Court in *Celestium Financial (supra)*, the present application seeking leave to appeal is **remanded** to the learned Sessions Judge, Hoshiarpur, 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.

4 The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Hoshiarpur, forthwith.

5 Disposed of accordingly.

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

April 23, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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