



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

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CRM-A-2297-MA-2016 (O&M)

Date of decision: 30.04.2026

Haryana State Pollution Control Board

...Applicant

VERSUS

Akaram Jamal and others

...Respondent(s)

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

Present :- Mr. Karanjeet Singh, Advocate for
Mr. Amar Vivek Aggarwal, Advocate for the applicant.

Mr. Anil Gupta, Advocate for
Mr. Ashish Verma, Advocate for respondent No.3.

Mr. Paras Talwar, Sr. DAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

CRM-40253-2016

Prayer in the application is for condonation of delay of 80 days
in filing the application for leave to appeal.

For the reasons mentioned in the application, the same is
allowed and delay of 80 days in filing the application for leave to appeal is
condoned.

Main case:

The present application has been preferred seeking grant of
leave to appeal against the judgment of acquittal dated 08.02.2016 passed by
the Presiding Officer-cum-Judicial Magistrate 1st Class, Special
Environment Court, Faridabad, in a case stemming from complaint dated

12.11.2009 filed under Section 15 of the Environment Protection Act, 1986.

2. After assessing all the material available on the record, the Presiding Officer-cum-Judicial Magistrate 1st Class, Special Environment Court, Faridabad acquitted the respondent(s) vide judgment dated 08.02.2016.

3. Learned counsel for the applicant(s) fairly submits that in view of the judgment of the Hon'ble Supreme Court passed 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.

4. 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 Sessions Judge, Faridabad with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (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 Sessions Judge, Faridabad forthwith.

6. Liberty is however granted to the applicant to lead additional evidence at an appropriate stage before the Court concerned.

7. Disposed of accordingly.

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

(VINOD S. BHARDWAJ)
JUDGE

30.04.2026

Mangal Singh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No