



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-A-2663-MA-2018 (O&M)

Date of decision: 02.04.2026

Madan Lal

...Applicant(s)

VERSUS

State of UT Chandigarh and another

...Respondent(s)

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

Present :- Mr. Rakesh Dhiman, Advocate for the applicant(s).

Mr. J.S. Toor, Sr. Advocate with
Mr. Jasbir Singh, Advocate for U.T. Chandigarh.

VINOD S. BHARDWAJ, J. (Oral)

CRM-42871-2018

Prayer in the application is for condonation of delay of 149 days in filing the application for leave to appeal.

For the reasons mentioned in the application, the same is allowed and delay of 149 days in filing the application for leave to appeal is condoned.

CRM-42872-2018

The application is disposed of with liberty to the applicant to lead/furnish/tender the evidence before the Court concerned.

Main case:

The present application has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 07.02.2018 passed by the learned Judicial Magistrate 1st Class, Chandigarh, in a case stemming from FIR bearing No.170 dated 23.06.2012 registered under Sections 279,

337, 304-A of the Indian Penal Code, 1860 at Police Station Sector 36, Chandigarh.

2. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 07.02.2018.

3. Learned counsel for the applicant 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 learned Sessions Judge, Chandigarh with a direction to treat the same as an appeal filed under Section 413 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 372 Cr.P.C.) 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, Chandigarh forthwith.

6. Disposed of accordingly.

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

(VINOD S. BHARDWAJ)
JUDGE

02.04.2026

Mangal Singh

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