



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

235

CRM-A-898-2024

Date of decision: 12.01.2026

UNION OF INDIA THROUGH SENIOR DIVISIONAL SECURITY
COMMISSIONER, RAILWAY PROTECTION FORCE, AMBALA
DIVISION

...Applicant

VERSUS

MOHIT

...Respondent

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

Present :- None for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

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 31.10.2023 passed by the Special Railway Magistrate, Haryana in a case stemming from criminal complaint No. COMA-32-2021 filed under Section 160 (2) Railways Act.

2. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 31.10.2023.

3. It is evident 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.

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, Ambala with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (now Section 413 of BNSS) 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, Ambala forthwith.

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

JANUARY 12, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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