



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

250 (2)

CRA-AS-355-2022

Date of decision: 14.01.2026

M/S PETRO MALL

...Applicant

VERSUS

M/S RANGI INTERNATIONAL PVT. LTD. AND OTHERS

...Respondents

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

Present :- Mr. Munish Mittal, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

The present appeal has been filed against the order of dismissal in default dated 29.11.2019 passed by the Judicial Magistrate, 1st Class Gurgaon in a case stemming from criminal complaint No. 10951/2018 filed under Section 138/142 of the Negotiable Instruments Act, 1881 read with Section 420 of the IPC.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.1,00,000/-. Learned trial Court, however, dismissed the complaint in default vide order dated 29.11.2019 which amounts to acquittal.

3. Learned counsel appearing on behalf of the appellant 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 appellant 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 appeal is **remanded** to the learned

Sessions Judge, Gurugram 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, Gurugram forthwith.

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

JANUARY 14, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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