



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

252

CRM-A-1717-2024 (O&M)

Date of decision: 14.01.2026

MOHD. FEROZ ALIAS FAUZI

...Applicant

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

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

Present :- Mr. Vidushi Singh, Advocate as Legal Aid Counsel
for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-51043-2024

Prayer in the application is for condonation of delay of 136 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 136 days in filing the appeal is condoned.

CRM-51042-2024

Application is allowed as prayed for.

CRM-A-1717-2024

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 06.05.2024 passed by the learned Judicial Magistrate First Class, Malerkotla stemming out from complaint dated 09.03.2020 filed under Sections 325, 341, 323,

506 read with Section 34 IPC.

2. It is noticed that the instant application pertains to the year 2024, however, no one has entered appearance on behalf of the applicant, hence, it is deemed expedient to nominate a Legal Aid Counsel. Mr. Vidushi Singh, Advocate, Enrollment No. PH-12846/2025 who is present in the Court, is appointed as the Legal Aid Counsel to represent the case on behalf of applicant to arrive at a decision. She has gone through the case file and submits that the present application has been filed against the judgment of acquittal dated 06.05.2024 passed by the Judicial Magistrate 1st Class, Malerkotla, in case Registration No. CHI/47/2020 filed under Sections 325, 341, 323, 506 read with Section 34 IPC. She fairly 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, Sangrur 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.

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

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

6. A copy of this order be sent to the High Court Legal Service Committee for information and necessary action.

JANUARY 14, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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