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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.L.P. 537/2016 & CRL.M.A. 15356/2016

M/S JIMMY SALES & RESEARCHPetitioner

Through: Appearance not given.

versus

M/S AGS GLAZING SYSTEM & ORSRespondents

Through: Appearance not given.

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

% **07.01.2026**

1. The present petition has been filed under Section 378(4) Cr.P.C. by the petitioner/complainant seeking leave to appeal against the order dated 04.06.2016 in the case bearing CC No.1271/1/2015 on the file of MM-04, Rohini Courts, New Delhi. *Vide* the impugned order, the petitioner/complainant's case was dismissed for non-prosecution and non-appearance and the respondents were acquitted under Section 256(1) of the Cr.P.C of the offence under Section 138 of the Negotiable Instruments Act, 1881.



2. In the light of the dictum of the Hon'ble Supreme Court in **Celestium Financial v. A. Gnanasekaran, 2025 SCC OnLine SC 1320**, this present appeal will lie before the Sessions Court concerned.

3. Hence, the appeal is sent to the Sessions Court concerned for consideration.

4. The appellant shall appear before the Sessions Court on 09.03.2026.

CHANDRASEKHARAN SUDHA, J

JANUARY 7, 2026/mj