



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

253-1

CRM-A-914-2024 (O&M)
Date of decision: 09.10.2025

Pankaj Soni

...Applicant

VERSUS

Dev Inder Gandhi

...Respondent

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

Present :- Mr. Hitesh Verma, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

IOIN-1-CRM-A-914-2024

In view of the report of the Mediation and Conciliation Centre of this Court, the present IOIN has been put up by the Office as a non-starter case.

In view of the same, the present IOIN stands disposed of and the main case i.e. CRM-A-914-2024 is taken up on board today itself.

Main case

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 26.04.2024 passed by the learned Judicial Magistrate First Class, Bathinda in a case stemming from complaint dated 06.05.2022 filed under Section 138 of the Negotiable Instruments Act, 1881 read with Section 420 of the Indian Penal Code, 1860.

2. The complaint (supra) was filed on the ground of dishonour of cheque No.502462 dated 24.03.2022 amounting to Rs.10,00,000/-. After



assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 26.04.2024.

3. Learned counsel appearing on behalf of the applicant 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.

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, Bathinda with a direction to treat the same as an appeal filed under Section 372 of the 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, Bathinda forthwith.

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

(VINOD S. BHARDWAJ)
JUDGE

09.10.2025

Sumit Gusain

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