



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

236

**CRM-A-1469-2025 (O&M)
Date of decision: 24.09.2025**

MEENA KUMARI

...Applicant

VERSUS

M/S BABA CEMENT TRADERS AND ANOTHER

...Respondents

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

Present :- Mr. Vishal Chaudhary, Advocate for
Mr. Punit Malik, Advocate
for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-35121-2025

Prayer in the application is for condonation of delay of 24 days
in filing the appeal.

For the reasons mentioned in the application, the same is
allowed and delay of 24 days in filing the appeal is condoned.

CRM-A-1469-2025

The present application has been preferred seeking grant of
leave to appeal against the judgment of acquittal dated 19.05.2025 passed by
the learned Judicial Magistrate, 1st Class Gurugram in a case stemming from
criminal complaint dated 15.06.2022 filed under Section 138/142 of the
Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.15,00,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 19.05.2025.

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, 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.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 24, 2025

Vishal Sharma

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