



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

247

**CRM-A-664-2025 (O&M)  
Date of decision: 23.09.2025**

Ishwar ...Applicant

VERSUS

Sukhbir ...Respondent

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

Present :- Mr. Kawalpreet Singh Virk, Advocate, for the applicant.

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**VINOD S. BHARDWAJ, J. (Oral)**

The present application has been preferred under Section 419(4) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter 'BNSS') seeking grant of leave to appeal against the judgment of acquittal dated 28.01.2025 passed by the learned Judicial Magistrate First Class, Jind in a case stemming from complaint dated 27.02.2018/05.07.2022 filed under Section 138 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.4,38,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 28.01.2025.

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



247 CRM-A-664-2025 (O&M)

is **remanded** to the learned Sessions Judge, Jind 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, Jind forthwith.

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

**(VINOD S. BHARDWAJ)**  
**JUDGE**

**23.09.2025**

*Sumit Gusain*

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