



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

236

CRM-A-1484-2025 (O&M)
Date of decision: 08.10.2025

KANWAR UDEY SINGH

...Applicant

VERSUS

AMANDEEP SINGH

...Respondents

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

Present :- Mr. Kamal Jindal, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-36670-2025

Prayer in the application is for condonation of delay of 37 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 37 days in filing the appeal is condoned.

CRM-36669-2025

Application is allowed as prayed for.

CRM-A-1484-2025

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 30.05.2023 passed by the learned Sub Divisional Judicial Magistrate at Dabwali, Sirsa in a case stemming from criminal complaint dated 01.11.2017 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.2,24,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 30.05.2023.
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, Sirsa 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, Sirsa forthwith.
6. Disposed of accordingly. Pending miscellaneous applications, if any, also stand disposed of.

OCTOBER 08, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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