

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

2025:PHHC:137934



(230)

CRA-AS-81-2018

Date of Decision: 30.09.2025

Sohan Lal

--Appellant

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. A.S. Gill, Advocate for the appellant.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

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

The present appeal 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 order dated 14.05.2014 passed by the learned Judicial Magistrate, 1st Class, Jalandhar in a case stemming from case no.1182/2/15 filed under Section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel appearing on behalf of appellant 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.

3. The complaint (supra) was filed on the ground of dishonour of cheque no.000010 dated 29.01.2013 amounting to Rs.1,20,000. After assessing all the material available on the record, the learned trial Court vide order dated 14.05.2024 dismissed the complaint in default.

4. Learned counsel appearing on behalf of the appellant 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.

5. 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, Jalandhar 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.

6. The Registry is directed to send the complete paper-book and the record of the case to the learned Sessions Judge, Jalandhar forthwith.

7. Disposed of accordingly.

Pending miscellaneous applications, if any, shall also stand disposed of.

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

**30.09.2025**

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Whether speaking/reasoned: Yes/No  
Whether Reportable: Yes/No