



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

237

CRM-A-517-2025 (O&M)
Date of decision: 29.09.2025

M/S TARUNA SHARMA AND ANOTHER ...Applicant

VERSUS

M/S VIAN INFRASTRUCTURE LIMITED AND OTHERS

...Respondents

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

Present :- Mr. Gaurav Aggarwal, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-12848-2025

Prayer in the application is for condonation of delay of 729 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 729 days in filing the appeal is condoned.

CRM-A-517-2025

The present application has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 11.01.2023 passed by the learned Chief Judicial Magistrate, Gurugram in a case stemming from criminal complaint dated 04.10.2010/27.05.2013 filed under Sections 406, 420, 467, 468, 34 and 120B of the Indian Penal Code, 1860.

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

11.01.2023.

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, Gurugram 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, Gurugram forthwith.

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

SEPTEMBER 29, 2025

Vishal Sharma

**(VINOD S. BHARDWAJ)
JUDGE**

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