



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

240

CRA-AS-188-2024 (O&M)
Date of decision: 23.09.2025

M/s. Gharda Chemical Ltd.

... Appellant(s)

VERSUS

Swaran Singh

...Respondent(s)

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

Present :- Mr. Ankur Lal, Advocate for the Appellant(s).

Ms. Pallvi Babbar, Advocate for the respondent(s).

VINOD S. BHARDWAJ, J. (Oral)

The present appeal has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 25.10.2023 passed by the learned Judicial Magistrate 1st Class, Karnal, in a case stemming from complaint dated 18.08.2015/01.03.2018 filed under Section 138 of Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.51,00,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 25.10.2023.

3. Learned counsel for the appellant(s) fairly submits that in view of the judgment of the Hon'ble Supreme Court passed 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 appeal is **remanded** to the learned Sessions Judge, Karnal 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, Karnal forthwith.

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

(VINOD S. BHARDWAJ)
JUDGE

23.09.2025

Mangal Singh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No