



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

227

CRM-A-1595-2023 (O&M)
Date of decision: 09.10.2025

Sukhwinder Singh

...Applicant(s)/Appellant(s)

VERSUS

State of Punjab and others

...Respondent(s)

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

Present :- Mr. Geeteshwar, Advocate for
Ms. Sukhveer Kaur, Advocate for the applicant(s)-appellant(s).

Ms. Savi Nagpal, AAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

CRM-47451-2023

Prayer in the application is for condonation of delay of 135 days in filing the accompanying appeal.

For the reasons mentioned in the application, the same is allowed and delay of 135 days in filing the accompanying appeal is condoned.

CRM-47452-2023.

Application is allowed as prayed for.

Main case:

The present application/appeal has been preferred seeking grant of leave to appeal against the judgment of acquittal dated 21.02.2023 passed by the learned Judicial Magistrate 1st Class, Gurdaspur, in a case stemming from complaint dated 06.10.2016 filed under Sections 325, 326, 323, 506,



148 and 149 of the Indian Penal Code, 1860 at Police Station Kalanaur.

2. 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.

3. The complaint (supra) was filed under Sections 325, 326, 323, 506, 148 and 149 of the Indian Penal Code, 1860 at Police Station Kalanaur. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 21.02.2023.

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, Gurdaspur with a direction to treat the same as an appeal filed under Section 372 of the Cr.P.C. (Section 413 of the Bharatiya Nagarik Suraksha Sanhita, 2023) 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, Gurdaspur forthwith.

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

(VINOD S. BHARDWAJ)
JUDGE

09.10.2025

Mangal Singh

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