



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

234

CRM-A-1459-2025 (O&M)
Date of decision: 24.09.2025

PAWAN KUMAR

...Applicant

VERSUS

M/S RADHA MADHAV SUPPLIERS AND ANOTHER

...Respondents

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

Present :- Mr. Naveen Bawa, Advocate for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-34950-2025

Prayer in the application is for condonation of delay of 30 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 30 days in filing the appeal is condoned.

CRM-A-1459-2025

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 23.05.2025 passed by the learned Judicial Magistrate, 1st Class Ludhiana in a case stemming from criminal complaint dated 16.11.2019 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.35,00,000-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 23.05.2025.

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, Ludhiana 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, Ludhiana forthwith.

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

SEPTEMBER 24, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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