



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

231

Date of decision: 11.09.2025

- (1) CRM-A-151-2019 (O&M)
The Ambala Central Cooperative Bank Ltd. Vs Krishan Lal
- (2) CRM-A-1653-MA-2017
The Karnal Central Cooperative Bank Ltd Vs Parmod Chauhan
- (3) CRM-A-2449-MA-2018
The Ambala Central Cooperative Bank Ltd. Vs Kashmiri Lal

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ramesh Sharma and Ms. Veena Hooda, Advocates
for the applicant-appellants

AMAN CHAUDHARY, J. (ORAL)

1. The present applications have 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 judgments of acquittal dated 14.03.2018, 03.03.2017 and 19.03.2018 passed by the learned Judicial Magistrate 1st Class, Ambala and Karnal in complaints filed under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter 'NI Act').

2. Hon'ble the Supreme Court in **M/s Celestium Financial vs. A. Gnanasekaran Etc.**, 2025 SCC OnLine 1320, held that an appeal is maintainable under the proviso of Section 372 Cr.P.C. (corresponding Section 413 of BNSS, 2023) against an order of acquittal passed in a complaint under Section 138 NI Act, by treating the complainant therein, as a 'victim' within the meaning under Section 2 (wa) of Cr.P.C, in view of which, the present appeal is disposed of by directing the concerned Sessions Judge, for treating it to have been filed under Section 372 of Cr.P.C. and assigning the same to the Court concerned for deciding it.

3. Registry is directed to send the complete paper-book and trial Court record, if received, along with the said order forthwith, while also informing the parties.

4. A photocopy of this order be placed on the files of connected cases.

11.09.2025

M.Kamra

(AMAN CHAUDHARY)

JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No