



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

225

CRM-A-277-2019 (O&M)
Date of decision: 17.09.2025

SANJEEV KUMAR SHARMA ...Applicant

VERSUS

STATE OF HARYANA AND ANOTHER ...Respondents

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

Present :- Mr. Sandeep Gahlawat, Advocate for the applicant.

Ms. Chhavi Sharma, Asstt. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

CRM-1901-2019

Prayer in the application is for condonation of delay of 77 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 77 days in filing the appeal is condoned.

CRM-1902-2019

Application is allowed as prayed for and Annexures A-1 to A-3 are taken on record.

Registry is directed to tag the same at appropriate place.

CRM-A-277-2019

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 11.06.2018

passed by the learned Judicial Magistrate, First Class, Faridabad in a case stemming from criminal complaint No.RBT-875 of 2016 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.8,00,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 11.06.2018.

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, Faridabad 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, Faridabad forthwith.

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

(VINOD S. BHARDWAJ)
JUDGE

17.09.2025

Vishal Sharma

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