



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

225

CRM-A-1587-MA-2018 (O&M)
Date of decision: 13.10.2025

Shiv Kumar

...Applicant

VERSUS

Manpreet Singh @ Manak Singh

...Respondent

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

Present :- Mr. Ishaan Thakur, Advocate for
Mr. L.S. Sidhur, Advocate, for the applicant.

VINOD S. BHARDWAJ, J. (Oral)

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 04.04.2018 passed by the learned Chief Judicial Magistrate, Mansa stemming out from complaint dated 23.02.2016 filed under Section 138 read with Section 142 of the Negotiable Instruments Act, 1881.

2. The complaint (supra) was filed on the ground of dishonour of cheque of Rs.4,11,000/-. After assessing all the material available on the record, the learned trial Court acquitted the respondent(s) vide judgment dated 04.04.2018.

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, Mansa 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, Mansa forthwith.

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

(VINOD S. BHARDWAJ)
JUDGE

13.10.2025

Sumit Gusain

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