



119 (2 cases)

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

1. CRM-M-46406-2025

Jitender @ Pappe @ Jitender SinghPetitioner

versus

State of Haryana Respondent

2. CRM-M-47224-2025

DheerajPetitioner

versus

State of Haryana Respondent

Date of decision : 27.02.2026

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. S.S. Sandhawalia, Advocate
for the petitioner in CRM-M-46406-2025.

Mr. Kapish Singla, Advocate
for the petitioner in CRM-M-47224-2025 (through V.C.).

Mr. Sumit Jain, Addl. A.G., Haryana.

Mr. Abhinav Sood, Advocate, Mr. Nitesh Jhaghria, Advocate
Mr. Akshay Sharma, Advocate and
Mr. Mehndi Singhal, Advocate for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of
abovesaid two petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of present
petitions praying for granting them regular bail in case FIR No.809 dated
14.12.2024, under Sections 316(2), 317(2), 318(4), 336(3), 338, 340 of BNS,
registered at Police Station Kundli, Sonipat.

3. As per the facts of the present case, the present FIR has been
registered on the statement of complainant, namely, Sunil Kumar



authorized representative of M/s S.M. Logistics Mallah Majra. The allegations against the petitioners are to the effect that both the petitioners were drivers of the vehicles which were attached to the company i.e. M/s S.M. Logistics Mallah Majra. On the way, they used to siphon off the consignment entrusted to be delivered to some unauthorized customer. When it surfaced that they have committed an embezzlement which runs in crores, the present FIR was lodged and request was made to take legal action against the accused. On registration of FIR, investigation commenced. During investigation, complicity of the petitioners surfaced and thus, they were arrayed as an accused in the present case and subsequently, they were arrested on 13.05.2025 and 24.04.2025, respectively. On completion of investigation, challan was presented and on framing of charges, the trial commenced. Petitioners approached the learned Additional Sessions Judge, Sonapat, praying for grant of bail, however, finding no merit, the same were declined after hearing both the sides by Learned trial Court vide orders dated 11.06.2025 and 27.09.2025, respectively. Aggrieved by the same, petitioners are before this Court praying for grant of bail by way of filing of present petitions.

4. Learned counsels for the petitioners have contended that the petitioners have been falsely implicated in the present case. It is submitted that the petitioners have been implicated in the present case on the basis of presumptions and assumptions. It is submitted that petitioners are admittedly the drivers of the vehicles which were attached with the company i.e. M/s S.M. Logistics Mallah Majra. It is submitted that though the allegations regarding the total embezzlement runs in crores, however, the petitioners could not be held responsible for the alleged



assigned. It is submitted that even otherwise they are behind bars since the date of their arrest. It is submitted that the investigation is completed and charges have also been framed. It is thus, submitted that in the facts and circumstances of the case, petitioners deserve to be granted bail.

5. Learned counsel for the complainant has vehemently opposed the submissions made on behalf of the petitioner and submits that the petitioners were admittedly drivers of the vehicles which used to load the consignment from complainant's company i.e. M/s S.M. Logistics Mallah Majra, for delivering the same to different distributors in different districts, however, within a span of 01 year, they misused their duties and sold the goods entrusted to them to unauthorized purchasers by forging the stamps of the company and the invoices as well. It is thus, submitted that no case for grant of regular bail to the petitioners, is made out.

6. Learned State counsel has opposed the submissions made by the counsel for the petitioners. He has drawn the attention of this Court to the status report filed by way of an affidavit of Mr. Ajeet Singh, HPS, Assistant Commissioner of Police, Headquarters, Sonipat in CRM-M-46406-2025 and submits that the petitioners were the drivers of the vehicles attached with S.M. Logistics Mallah Majra and during their duty time, they had stolen the Marico's Goods worth about Rs.19/20 lacs from their vehicles and sold it to one Fauji Hotel Rewari, at half of the prices. He, on instructions, has submitted that out of total 11 prosecution witnesses, 02 witnesses, have been examined. He has produced the custody certificates of the petitioners on record.

7. On hearing counsel for the parties and perusing the record, it is deciphered that the complicity of the petitioners surfaced during investigation. The total number of accused in the present FIR are said to



be 18, out of them 06 accused are arrested and 09 accused are yet to be arrested. The petitioners were the drivers of the vehicles and were assigned the duty to transport goods from the complainant’s company to various places, where the goods were to be supplied. The petitioners are behind bars since the date of their arrest. As per custody certificates, petitioner-Jitender has suffered an incarceration of 09 months and 14 days as on 26.02.2026 and he has no criminal antecedents. So far as petitioner-Dheeraj, is concerned, he has suffered an incarceration of 10 months and 03 days as on 26.02.2026. It further reflects that he is involved in 04 more cases, however, he is on bail in those cases. As submitted before this Court, out of total 11 prosecution witnesses, 02 witnesses have already been examined including the complainant.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, both the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

27.02.2026
ps-I

(RAJESH BHARDWAJ)
JUDGE

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