

CRM-M-58074-2025 (O & M)

2026:PHHC:047177



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(127)

CRM-M-58074-2025 (O & M)
Date of decision:25.03.2026

Sumit Bhalla

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. D.S. Matya, for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 BNSS, 2023 is for the grant of the regular bail to the petitioner in FIR No.475 dated 24.07.2024 under Sections 420, 467, 468, 471 and 120-B IPC registered at Police Station Sadar Gurugram, District Gurugram.

2. As per the allegations levelled, the petitioner who was working as an Assistant Manager with Eicher Motors Limited defalcated an amount of Rs.1,04,01,221/- from the account of the company.

3. The learned counsel for the petitioner contends that the allegations levelled are baseless. As per the FIR, a sum of Rs.12,16,949/- has come to the account of the father of the petitioner. The petitioner is in custody since 16.09.2024 but none of the 13 prosecution witnesses has been examined so far. The Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail, moreso, when the case is triable by the Court of a Magistrate.



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4. The learned counsel for the State, on the other hand, contends that the petitioner cheated the company of an amount of Rs.1,04,01,221/-. The allegations levelled against the petitioner are grave. Therefore, he is not entitled to the concession as prayed for. He, however, concedes that the petitioner is in custody since 16.09.2024, that none of the 13 prosecution witnesses has been examined so far and that the case is triable by the Court of a Magistrate.

5. I have heard the learned counsel for the parties.

6. This Court in the case titled as ***Maninder Sharma Vs. State Tax Officer, State, Mobile Wing, Jalandhar, Punjab bearing CRM-M24033-2021(O&M) Decided on 31.08.2022*** has held as under:-

“Therefore, broadly speaking (subject to any statutory restrictions contained in Special Acts) , in economic offences involving the IPC or Special Acts or cases triable by Magistrates once the investigation is complete, final report/complaint filed and the triple test is satisfied then denial of bail must be the exception rather than the rule. However, this would not prevent the Court from granting bail even prior to the completion of investigation if the facts so warrant.”

7. The veracity of the prosecution case against the petitioner shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 16.09.2024 but none of the 13 prosecution witnesses has been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. The present case is triable by the Court of a Magistrate and no serious apprehension has been expressed by the State that the petitioner would abscond from justice, tamper with the



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evidence or influence witnesses if granted the concession of bail. Therefore, in this situation, the further incarceration of the petitioner is not required.

8. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Sumit Bhalla is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

9. The present petition stands disposed of.

10. The pending application(s), if any, shall stand disposed of accordingly.

March 25, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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