

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

**CRM-M No.6569 of 2020(O&M)
Date of Decision: 05.03.2020**

**Ritik Singh
Vs**

.....Petitioner

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Kapil Aggarwal, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

RAJ MOHAN SINGH, J.

Prayer is for grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.3 dated 10.09.2019 registered under Sections 406, 420, 466, 467, 468, 471, 120-B IPC at Police Station SVB Panchkula.

Petitioner is a girl. Earlier she filed CRM-M No.55557 of 2019 for anticipatory bail. The same was ordered to be rendered infructuous on account of arrest of the petitioner vide order dated 14.01.2020.

The allegations in the FIR are that Welfare Minister, Government of India in the month of July, circulated scholarship

post matric scheme under the scheme post matric students getting admission in post matric courses belonging to scheduled caste are paid scholarship of Rs.230/- to Rs.1200/- per month and non-refundable fees. Before 2015, the scheme was conducted manually. In 2015-16, the scheme was online for which Strigma company prepared a software for which the concerned department made the agreement in the year 2017. The allegations are of fraudulent means to usurp the scholarship amount.

During investigation, it has been alleged that 41 students of District Yamunanagar were shown to be studying in different course of OPJS University, Churu Rajasthan and applications were made on their behalf for getting scholarships. During investigation from those students in respect of receiving scholarships by them and in respect of their studying in OPJS University, Churu Rajasthan, they submitted that they have not taken any admission in the aforesaid University, nor made any application for getting scholarship.

The mother of the petitioner is running NGO Gramin Vikas Vigyan Kendra. The said NGO has worked with the Haryana State Aids Control Society. Gurdev Kaur (mother of the petitioner) happens to be the president of said NGO. Further allegations are that the aforesaid Gurdev Kaur and the petitioner

in connivance with Mayank Chaudhry resident of Ghazibad by calling through Reeta wife of Munish Kumar who is working in the NGO of mother of the petitioner opened the bank accounts of 28 girls in Punjab National Bank, Yamunanagar by filling the forms through Reeta and obtained the signatures on the forms of all 28 girls students and ATM Passbooks were kept by Gurdev Kaur, petitioner and Mayank Chaudhry. It has also been alleged that Reeta took 8 girls to OPJS University, Churu Rajasthan where signatures on one form were obtained. They came back on the same day. In this way, from the statements of Kumari Rajni and Shalu, the episode came to fore.

The mother of the petitioner is in custody. An amount of Rs.47,360/- came to be deposited in the account of one Ashwani Kumar. The account of Ashwani Kumar was also opened by the mother of the petitioner. To that extent, the police has recorded the statement of Ashwani Kumar under Section 161 Cr.P.C.

Thereafter, the petitioner allegedly contacted Ashwani Kumar and stated that the said amount has been wrongly deposited in his account, rather the amount belongs to them. The said amount was deposited with the process of RTGS in the account of the petitioner. That is how, the complicity qua the petitioner has been alleged.

Learned counsel for the petitioner submitted that the petitioner is a girl having mentally retarded younger sister. The mother of the petitioner is in custody. Learned counsel further submitted that there is nobody to look after the mentally retarded sister of the petitioner. Petitioner is an unmarried girl aged 22 years and was pursuing her graduation in the year 2014-15 and 2015-16. Presently, she was working in Tech Mahindra Company. The parents of the petitioner have divorced each other. Petitioner is in custody since 09.01.2020.

Learned State counsel stated that the amount has been deposited in the account of the petitioner from the account of Ashwani Kumar through the process of RTGS, but the said amount is a tainted money which came to be deposited firstly in the account of Ashwani Kumar. Ashwani Kumar has disclosed the aforesaid fact in his statement under Section 161 Cr.P.C.

Looking to the controversy particularly in the light of offence which is triable by the Magistrate, petitioner is in judicial custody and is no more required for further investigation of the case, the case of the petitioner for grant of regular bail can be considered.

In view of above, at this stage, without forming any opinion on merits of the case, petitioner is directed to be released on regular bail, subject to her furnishing adequate bail

bonds/surety bonds to the satisfaction of the concerned Chief
Judicial Magistrate/Duty Magistrate.

Nothing expressed hereinabove, shall be construed to
be an expression of any opinion on merits of the case.

05.03.2020

Prince

Whether speaking/reasoned
Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No
Yes/No