

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

**CRM-M-6699 of 2021
DECIDED ON: 28th March, 2022**

Manish Kumar @ Munish

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Amit Prashar, Advocate for
Mr. K.P. Singh, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This is a petition seeking regular bail in case of FIR No. 5 dated 28.5.2020, under Sections 218, 409, 420, 466, 467, 468, 471, 120-B IPC, 1860 and Sections 13(1) (C) and (D) and 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station S.V.B. Karnal, District Karnal.

As per the allegations, the FIR was registered on the basis of a report of the Committee constituted by the Director Welfare Scheduled Castes and Backward Class Department, Haryana, Chandigarh, wherein findings were recorded that in the years 2015-16 to 2018-2019, there was embezzlement of scholarship money under Post-Matric Scholarships for the benefit of Schedule Caste and Backward Classes student. The embezzlement was done by changing Aadhar numbers and forging Aadhar Link.

The role attributed to the petitioner is that he was running a Computer Center and he filled the forms of students for the course which he was not imparting.

Learned counsel for the petitioner submits that the petitioner is

in custody since 23.12.2020 and investigation is complete. Learned counsel

for the petitioner further submits that he is the only person arrested and even officials of the Department who are nominated in FIR have not been arrested till date and he has no criminal antecedents.

Learned State counsel opposes the prayer for bail and submits that petitioner was the person who laid the foundation for siphoning scholarship by filing the forms for courses which the students had not joined.

Without commenting upon the merits of the case and considering the nature of allegations, custody period and that though the investigation is complete but conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

28th March, 2022
reema

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>