

222 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM-M-27082-2022
Date of Decision: 25th July, 2022

T Hari Prasad

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Krishan Singh, Advocate for the petitioner.
Ms. Geeta Sharma, Deputy Advocate General, Haryana.
Mr. Arvind Seth, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

1. This petition is filed seeking regular bail in case of FIR No. 116, dated 17th March, 2022, under Sections 120-B, 406, 420, 467, 468, 471 IPC, registered at Police Station Sector 14, Panchkula.

2. As per the case set up, the FIR was registered at the instance of District Functional Manager of Haryana State Rural Livelihoods Mission (for short 'the mission'). Proposal of ISEE Staffing Solution Private Limited (for short 'the company') was considered as project implementing agency for skill training of Rural Poor Youth of Haryana. The project was sanctioned on 28th May, 2021. Memorandum of understanding was executed between the mission and the company. Installment of 25% of the total project cost i.e. Rs.2,08,74,950/- was released on 29th October, 2021. The project commenced but the guidelines issued by the mission were not adhered to. The company was asked to refund the installment issued, on 30th December, 2021, Rs.50,80,356/- were refunded. Later, it revealed that bank guarantee furnished by compnay was a fake document.

3. Learned counsel for the petitioner submits that petitioner is in

petitioner. He further submits that bank guarantee was not furnished in the individual capacity, still to show his *bonafide*, has deposited Rs.25,00,000/- with the trial Court. He has produced the copy of the Demand Draft and submits that amount was deposited on 20th July, 2022.

4. Learned State counsel opposes the prayer for grant of regular bail.

5. Though the complainant has not been impleaded as party, Mr. Arvind Seth, Advocate appearing for the complainant filed reply. He vehemently opposes the prayer and submits that the amount deposited should be handed over to the mission, as it is public money.

6. Without commenting at this stage, considering the nature of allegations, fact that allegations are based upon documentary evidence and that conclusion of investigation and trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

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

9. In case of change in circumstance, State would be at liberty to avail remedies in accordance with law.

[AVNEESH JHINGAN]
JUDGE

25th July, 2022
Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No