

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

CRM-M-28695-2022

Date of Decision: 31st August, 2022

Mangat Ram Saini

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. P.B.S. Goraya, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN , J.(Oral)

1. This petition is filed seeking regular bail in case of FIR No. 70, dated 3rd May, 2022, under Sections 409, 417, 420, 506 of Indian Penal Code, 1860 and Section 13 of the Prevention of Corruption Act, 1988, registered at Police Station Division No.2, District Pathankot.

2. The relevant facts are that complainant Rajneesh Kumar alleged that Mangat Ram Saini (petitioner) employed in Railway Department ostensibly received Rs. 2,50,000/- on pretext of providing job to him in Railways. Neither the needful was done nor the amount was refunded. It was stated that complainant issued a cheque of Rs.50,000/-, which was dishonoured.

3. Learned counsel for the petitioner submits that money transaction between the complainant and the petitioner has been camouflaged into a criminal act. There is no proof of complainant making payment to the petitioner. Submission is that the petitioner in order to show his *bonafide* has deposited Rs.50,000/- with the trial Court, subject to outcome of the trial. The contention is that investigation is complete.

4. Learned State counsel on instructions opposes the prayer for grant of regular bail.
5. Without commenting upon the merits of the case, considering that there are allegations and the counter-allegations with regard to the nature of transaction, the petitioner has deposited Rs.50,000/- with the trial Court i.e. equivalent to amount of cheque issued by the complainant, though the investigation is complete conclusion of 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.
6. The petition is allowed.
7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
8. The amount deposited with the trial Court shall be subject to the outcome of the trial and will be kept in an FDR in a Nationalized Bank.

(AVNEESH JHINGAN)
JUDGE

31st August, 2022
Parveen Sharma

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