

2025:PHHC:068093



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

CRM M-62464 of 2024

Date of Decision: 19.05.2025

Manjit Singh Bhatia

...Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sunil Kumar Dhanda, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.20 dated 01.05.2024 registered under Sections 409, 420, 465, 467, 471, 120-B/201 of IPC and Section 13 of Prevention of Corruption Act, 1988 at Police Station Anti Corruption Bureau, Gurugram.

2. The FIR in the present case was registered against a trust, namely, Sarati Devi, Educational Charitable Trust (Registered), Ateli Mandi, which was running two institutes, i.e., Rohitash Degree

College, Ateli Mandi and Rohitash Institute of Management, Ateli Mandi. On the basis of a source report regarding embezzlement of amounts, the Anti Corruption Bureau conducted an inquiry about the mismanagement in the affairs of Rohitash Degree College, Ateli Mandi. During the course of inquiry, it was found that during the years 2014-2015, 2015-2016, 2016-2017 and 2017-2018, the management of Rohitash Degree College, Ateli Mandi, had committed the embezzlement of crores of rupees under the post metric scholarship scheme. The management had fraudulently shown the admission of the students under the category schedules castes and other backward classes and received amount in its account and the various amounts were not actually disbursed to the beneficiaries and this was committed in connivance with the employees of the Higher Education Department, Haryana. Even, the management had destroyed the records by setting the same on fire. Even, the total amount of embezzlement was found to be Rs.2,58,59,200/-.

3. Learned counsel for the petitioner contends that the FIR was initially registered against the management of Rohitash Degree College as well as Rohitash Institute of Management, Ateli, and some unknown officials of higher education. Even during the course of preliminary inquiry, no material was found against the present petitioner and the petitioner has been involved only on the basis of suspicion. In fact, the petitioner was working as an auditor in Higher Education Department, Haryana and his duty was to compare the

names, as per the admission record, which was sent by Rohitash Institute of Management and Technology. The petitioner has even now retired from the department. He further contends that just to save the erring officials, the present petitioner has been made a scapegoat. Even, the petitioner had only audited the record, which was sent by the Rohitash Institute of Management and Technology. Even, the students had to apply directly on the portal of Director Higher Education for pursuing further studies. Consequently, the petitioner had no role to play in the entire episode. Apart from that, the amount of post metric scholarship shall be paid into two parts, out of which, one part was to be paid to the College/Institute in the shape of fee and the other scholarship amount was to be paid to the beneficiary directly. Consequently, there was no question of embezzlement by the petitioner in the present case. Learned counsel further contends that the petitioner was arrested in the present case on 23rd October 2024 and is in custody for the last more than 07 months. Even, the challan has been presented against him. By referring to the order dated 17.09.2024 (Annexure P-6), learned counsel submits that Rohitash Singh Yadav, the main accused in the present case has already been admitted on regular bail by the Court of Sessions Judge, Narnaul. The case of the petitioner is on better footings and the petitioner may be granted the concession of bail.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by the learned counsel for the

petitioner on the ground that the petitioner had hatched a criminal conspiracy with Rohitash Singh Yadav and managements of both the institutes. Even, he was working as an auditor in the Higher Education Department, Haryana and misused his position and embezzled the amount by paying huge sums to colleges illegally.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, it is apparent that the case is primarily based on documentary evidence, which has been collected by the police during the course of investigation. Moreover, the petitioner is stated to be in custody for the last more than 7 months and *challan* has already been presented against him. Moreover, the main accused Rohitash Singh Yadav has already been granted the concession of bail by the Court of Sessions Judge, Narnaul, vide order dated 17.09.2024 (Annexure P-6). Apart from that, other co-accused of the petitioner, namely, Veena Yadav, has also been granted the concession of bail by this Court.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned subject to the following conditions:-

(i) *The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.*

(ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*

(iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

(iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*

(v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*

(vi) *In case, the petitioner gets involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioner.*

(vii) *The concerned Court may insist two heavy local surties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

(viii) *The petitioner shall report every 1st and 3rd Monday in English calander month before the concerned SHO till*

the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha. In case, he does not report on every 1st and 3rd Monday before the concerned SHO, it shall be viewed seriously and the concession granted to him shall be liable to be cancelled and the State of Haryana shall be at liberty to move an appropriate application in this regard.

19.05.2025
amit rana

(N.S.SHEKHAWAT)
JUDGE

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