

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1221 of 2016 (O&M)

Date of Decision: 04.04.2016

Satyabir Singh

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.K. Yadav, Advocate for the petitioner.

Mr. Vivek Saini, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case FIR No.163 dated 8.4.2015 registered under sections 406, 416, 418, 420, 467, 468, 471, 120-B I.P.C at Police Station, Model Town Rewari, District Rewari.

On 15.1.2016, while issuing notice of motion, the following order was passed by this Court:-

“Petitioner seeks the concession of anticipatory bail in case FIR No.163 dated 8.4.2015 registered under sections 406, 416, 418, 420, 467, 468, 471, 120-B I.P.C at Police Station, Model Town Rewari, District Rewari.

F.I.R was registered on the complaint made by HDFC ERGO General Insurance Company pertaining to a false claim of Rs.30,000/- towards medical treatment having been set up. Allegations against the present petitioner are that a claim of Rs.30,000/- was lodged on the basis that he had received treatment at Dr. Mahender Hospital, Rewari having remained admitted between 24.6.2014 to 28.6.2014. Complainant-company while processing such claim discovered that the claim documents/supporting documents were forged and fabricated.

Submission raised by the petitioner is that during the course of investigation in the present F.I.R, it was found that co-accused Dharmender, who was a Compounder in the hospital concerned had forged the signatures of the present petitioner and had set up the claim in connivance with co-accused Sukhbir. It is also submitted that the afore noticed Dharmender and Sukhbir have since been arrested and in any case the medical claim of Rs.30,000/- had not been disbursed.

Notice of motion, returnable for 4.4.2016.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from SI Ram Niwas would apprise the Court that the petitioner has since joined investigation and no recovery is to be effected from him.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 15.1.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.04.2016
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