

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

CRM-M-22811 of 2017

Date of decision: 25.7.2017

Karamvir Singh

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR.JUSTICE H.S.MADAAN**

Present: Mr. Munish Behl, Advocate  
for the petitioner.

Mr.Gaurav Bansal, AAG, Haryana.

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**H.S. MADAAN, J.**

The instant petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by petitioner - Karamvir Singh, an accused in FIR No.470 dated 24.12.2016 for offences under Sections 420/120-B IPC and 66-C of IT Act, registered with Police Station Ambala Cantt.

Briefly stated, the version of the prosecution is that complainant – Mr.Nitin Verma, Manager, IFFCO Tokyo General Insurance Company, Ambala Cantt. came to know during checking that five policies have been issued on behalf of company without proper verification of documents and misusing and hacking internet portal

account of the agents of company by accused – petitioner – Karamvir, who happened to be one of the agent of the company. It came out that Karamvir Singh had ante dated the policies so as to show insurance of the vehicles which were involved in the accidents. The premium for the policies was also deposited by Karamvir Singh from his own account instead of account of agents from whose portal the policies were issued. The company had issued notices to the insured but they did not respond, as such the policies were cancelled.

Learned counsel for the petitioner contends that the policies in question have since been cancelled and no loss has been caused to the Insurance company and further he is innocent and has been wrongly involved in this case.

On the other hand, learned State counsel has opposed the petition vehemently contending that the petitioner is part of the gang which is operating, preparing such type of policies in back dates of the vehicles involved in the accidents so as to enable the owners of such vehicles to claim the insurance amount in a fraudulent manner. He further states that though in terms of the order passed by this Court, the petitioner has joined the investigation but he has not handed over the equipment used by him while committing the crime and has not informed about the manner in which he did so. In that way, the custodial investigation of the petitioner is necessary to recover the laptop and computer used by him in the commission of crime and to find out the manner in which he had acted in hacking the internet portal account of the agents of the company.

After hearing the rival contentions of the parties, I find that

the allegations are indeed very serious in nature inasmuch as the accused had allegedly ante dated insurance policies and he did so by using and hacking internet portal account of the agents of the company. His custodial interrogation is definitely necessary to find out the manner in which he had done so and to recover the equipment used by him in committing the crime. It is well settled that custodial interrogation is more elicitation oriented since a person, who is couched in comparative safety of pre-arrest bail would certainly not disclose all the facts within his knowledge, which would be inculpatory for him. In case custodial interrogation of the petitioner is denied to the investigating agency that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely, which is not called for.

Thus finding no merit in the petition, the same stands dismissed.

25.7.2017  
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**(H.S.MADAAN)**  
**JUDGE**

**Whether reasoned/speaking : Yes/No**

**Whether reportable : Yes/No**