

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.11490 of 2019 (O&M)
Date of decision : 01.05.2019

Amrit Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Anil Kumar Rana, Advocate
 for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Dinesh Arora, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.765 dated 30.07.2018 registered under Sections 420/467/468/471/120-B IPC at Police Station Central Faridabad, District Faridabad, Haryana.

The allegations in the FIR were that Metro Heart Institute, Sector 16, Faridabad was empanelled with the Haryana Government and eligible employees who were treated in that hospital were entitled to reimbursement. In Noida there was a hospital with a similar name and the management of that hospital is accused of treating persons and then claiming reimbursement on the stationery of the Faridabad hospital by

wrongly showing that the treatment has taken place at Faridabad whereas it is actually taken at Noida.

As regards, the petitioner the allegation is that his father was one such eligible employee who had taken the treatment from the Noida hospital but got his reimbursement by showing the treatment at the Faridabad.

Counsel for the petitioner has argued that the real king-pin/s is the management of the Noida hospital and the petitioner is willing to co-operate with the police and he has not obtained any un-due benefit (except that he was treated in the Noida hospital).

Counsel for the complainant has argued that the petitioner is not as innocent as he is trying to portray himself because otherwise his father atleast knew the empanelled hospital but still chose to go to a different hospital which he knew was not empanelled and then got his bills reimbursed by showing that his treatment had taken place at Faridabad.

Counsel for the petitioner has argued that both these hospitals were closely affiliated and the management of the Noida hospital had assured them that since both the hospitals are closely affiliated there is nothing irregular in obtaining treatment at Noida and that is why the father of the petitioner took his treatment from the Noida hospital under a bona-fide belief. He has further stated that the father of the petitioner was arrested and released on regular bail.

In the circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner and do not consider it to be a case for custodial interrogation. Resultantly, the petition is allowed. In

the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the Investigating Officer on 08.05.2019 and on any other date as and when his presence is required.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

01.05.2019
Pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No