

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

**CRM-M No.27130 of 2019
Decided on: 26.06.2019**

Ashok Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Amit Khatkar, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.133 dated 31.03.2019, for offence punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code (in short 'IPC'), registered at Police Station Tosham, District Bhiwani.

Counsel for the petitioner has submitted that, as per the allegation in the FIR, one insurance consultant namely Santosh Kumar has issued a policy in the name of one Sanjay, who has already died prior to issuance of the insurance policy. It is further submitted that the beneficiary of the policy was one Santosh, who has already been granted the concession of interim anticipatory bail by this Court in CRM-M No.18126 of 2019 and the name of the petitioner has been

surfaced in the disclosure statement of Ram Kumar. It is also submitted that in fact Ram Kumar is a witness of the documents submitted on behalf of the aforesaid Sanjay for obtaining the insurance policy and the only allegation against the petitioner in the disclosure statement is that he is actively involved in obtaining the aforesaid policy. It is further argued that the petitioner neither signed any document nor he is a beneficiary in any manner and was not given any sort of monetary incentive.

Counsel for the petitioner has further submitted that the petitioner is not involved in any other case and he is implicated in the present case on the basis of the disclosure statement of Ram Kumar. It is also submitted that the petitioner is in custody since 18.05.2019; the offences are triable by the Court of Magistrate and it will take some time in conclusion of the trial.

Counsel for the State, on instructions from ASI Suresh Kumar, has not disputed the factual position but opposed the prayer for bail. It is further submitted that the case is still at the investigation stage and till date, however, during the investigation, nothing has come that the petitioner has signed any document.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; he is in custody since 18.05.2019; the offences are triable by the Court of Magistrate and it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

26.06.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No