

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

CRM-M No.12930 of 2020
Date of decision: 5th June, 2020

Sonu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sunil Saharan, Advocate for the petitioner.

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Sonu, who is in custody in case bearing FIR No.6 dated 06.01.2020 under Sections 420, 467, 468, 471 and 120-B IPC pertaining to Police Station City Hansi, District Hisar has come up in this first regular bail application under Section 439 Cr.P.C.

The allegations in brief are that one Raja (deceased) is shown to have taken a life insurance policy from complainant Birla Sunlife Insurance Company on 24.08.2018. It is subsequent thereto, a claim for the insurance amount on account of death of the policy holder was made on 05.03.2019 by the petitioner son Sonu claiming that his father has died on 25.09.2018. When the claim was processed, it was revealed that the policy holder Raja actually died on 14.08.2018 and the certificate was fabricated leading to registration of the present case.

Learned counsel for the petitioner Mr. Sunil Saharan, Advocate inter alia contends that the petitioner was unaware of the

particulars given in the insurance policy which was done by the deceased father and he had only lodged claim to the death insurance, submitting that neither the amount of insurance has been received nor any allegation of cheating could be shown by the complainant side and that the petitioner is behind bars since 08.02.2020.

On behalf of the State, Mr. Baljinder S. Virk, Dy. Advocate General, Haryana though has stoutly opposed the grant of bail on the grounds of heinousness of the offence and seriousness of allegations but has fairly conceded at the bar that the amount of insurance claim has not been received by the petitioner.

Appreciating the arguments of the two sides, be that as it may, the petitioner is in custody for almost four months. Investigation and trial are not likely to conclude in the near future, and culpability, if any, shall be determined at the trial. In view thereof, this Court is of the opinion that no useful purpose will be served by further detention of the petitioner in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Hisar. However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

June 5, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No