

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

202-3

CRM-M-28907-2021

Date of Decision: 05.08.2021

Labh Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case FIR No. 99 dated 25.02.2021, under Sections 193, 201, 205, 297, 406, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Nanaund, District Hansi, Hisar.

FIR was got lodged by Dr. Brajesh Kumar Rajput, Investigation Manager, Risk and Loss Mitigation Unit, HDFC Ergo General Insurance Company with the allegations that a Syndicate targeted the persons belonging to poor socio-economic conditions who were suffering from terminal illness like cancer etc and a number of accidental death policies were purchased in their names. Fake claims under the personal accident policy were got filed by the nominees of the insured. It is also alleged that possibility of hospital staff being hand in gloves with the fraudsters could not be ruled out as false post-mortem were prepared by the doctors. A number of private hospitals are alleged to be involved in this practice. The masterminds

behind this rackets are named as Sunil Kharb (son of the petitioner), Sandeep Kumar, Manoj and Salim. It is stated that one of such policies was purchased in the name of Sunil Kumar on 06.04.2018 for a sum of Rs. 15,00,000/-. The insured died on 12.04.2018. The petitioner being nominee of his deceased son Sunil Kumar filed false claim alleging that his son had died due to accidental injuries whereas the death had taken place due to TB ailment.

Learned counsel for the petitioner contends that the petitioner has falsely been roped in this case. He further contends that the petitioner has been implicated only on the basis of disclosure statement of co-accused, namely, Sunil Kumar, who is alleged to have stated that the petitioner was working as Multipurpose Health worker in CHC Village Badchhapar and introduced the Doctor to the claimants and also participated in conducting of the postmortem. It is stated that other than the aforesaid disclosure there is no material to connect the petitioner with the offence. It is not even alleged that the petitioner had received any amount for facilitating the contact between the Doctor and family members of the deceased. The petitioner is in custody since 25.03.2021. The investigation in the case is complete.

On the other hand, learned State counsel has opposed the prayer for grant of bail to the petitioner contending that the petitioner is actively involved in defrauding the Insurance companies for facilitating false claims involving crores of rupees of public money. There are a large number of cases registered against the petitioner of

similar nature.

Be that as it may, considering the material against the petitioner and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner-Labh Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, Chief Judicial Magistrate, concerned.

[HARINDER SINGH SIDHU]
JUDGE

August 05, 2021
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Whether speaking/reasoned	yes/no
Whether reportable?	yes/no