

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-33011-2021

Date of decision: - 16.08.2021

Hitesh Kumar

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Pratham Sethi, Advocate,  
for the petitioner.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.  
(keeping in view of the advance copy given).

( Through Video Conferencing )

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HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in respect of FIR No.106 dated 07.06.2021, registered under Sections 406 and 420 IPC (Sections 467, 468, 471 & 120-B IPC added later on), at Police Station Saha, District Ambala.

Learned counsel for the petitioner does not deny the involvement of the petitioner with regard to selling the policies in question to the complainant, but submits that the everything was done by a co-accused, namely, Kamal Singh. Learned counsel for the petitioner submits that out of total amount of Rs.12.5 lakhs received from the

complainant by selling the fake policies, a sum of Rs.2 lakhs was given to the petitioner, but the said amount was taken away by co-accused, namely, Kamal Singh. Learned counsel for the petitioner further submits that petitioner is ready to join the investigation and therefore, he be granted the benefit of anticipatory bail as nothing is to be recovered from him.

Notice of motion.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel submits that the allegations against the petitioner are very serious that they have cheated the innocent citizens by selling them forged policies and have embezzled their hard earned money. Learned State counsel further submits that the custodial interrogation of the petitioner is necessary to find out the traces of the amount, which has been received from the complainant in lieu of the fake policies and also the factum, whether, the petitioner is involved in any other case as well of similar nature because co-accused, namely, Kamal Singh was arrested in a case involving similar allegations in Uttar Pradesh.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

It is not case a where the petitioner is claiming himself to be a stranger to the allegations alleged against him in the FIR. It has been further admitted that for selling the fake policies to the complainant, a

sum of Rs.2 lakhs was given to the petitioner out of the total of Rs.12.5 lakhs received, though as per the petitioner the said amount has been taken away by co-accused, namely, Kamal Singh. Trail of the amount received by selling these forged policies needs to be ascertained for which the custodial interrogation is necessary. Not only this, the police needs to carry out investigation so as to find out whether other innocent people have been sold forged polices by the petitioner, which can only be done by way of custodial interrogation.

Keeping in view the facts and circumstances of this case and the allegations alleged against the petitioner, no ground is made out to grant the benefit of anticipatory bail.

Dismissed.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

**August 16, 2021**  
naresh.k

**( HARSIMRAN SINGH SETHI )**  
**JUDGE**

|                            |     |
|----------------------------|-----|
| Whether reasoned/speaking? | Yes |
| Whether reportable?        | No  |