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

**CRM-M-39528-2021
Date of decision 27.10.2021**

Amit

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Narender Kaajla, Advocate for the petitioner.

Ms. Geeta Sharma, Deputy Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

[1] Due to COVID-19 situation, the Court is convened through video conference.

[2] This petition under Section 439 Cr.P.C. is filed seeking regular bail in F.I.R. No.17, dated 7th January, 2021, under Sections 193, 201, 205, 297, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Hansi City.

[3] The F.I.R. was at the instance of Investigation Manager of HDFC ERGO General Insurance Company Ltd. The allegations are that fake insurance claims were being applied by some persons by purporting the cause of death of their relatives as road side accident

whereas the deceased were cancer patients. The allegation against the petitioner is that he made a statement that Chotu Ram (deceased) sustained injuries on chest and face in an accident while working in the fields of the petitioner.

[4] Mr. Narender Kaajla, learned counsel for the petitioner submits that petitioner is in custody since 6th August, 2021. Investigation is complete. He is not a beneficiary of the insurance claim. It is contended that as per post-mortem report (for brevity 'PMR'), cause of death is injuries sustained on the chest.

[5] Ms. Geeta Sharma, Deputy Advocate General, Haryana opposes the prayer for grant of regular bail and submits that it is a case of causing loss to public exchequer. She further submits that petitioner received the amount of compensation.

[6] *Prima facie*, the petitioner is not a beneficiary of the insurance claim received. His role is that he made a statement that deceased sustained injuries while working in his fields.

[7] The cause of death is a debatable issue and would be subject matter of the trial. As on date, the cause of death as per PMR is injuries sustained on the chest. The conclusion of trial is likely to take time. Considering the facts and circumstances of the case in totality, the petitioner is granted regular bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

[9] The petition is allowed.

[10] It is clarified that observations made hereinabove shall not

be construed as an expression of opinion on the merits of the case.

27th October, 2021

pankaj baweja

**[AVNEESH JHINGAN]
JUDGE**

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|-------------------------------|---|-----|
| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | Yes |