

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

CRM-M-49401-2021

Date of Decision: 30th November, 2021

Vijay Sarup

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Atul Lakhanpal, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana
for the respondent-State.

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 FIR No. 17, dated 07.01.2021, under Sections 420, 467, 468, 471, 193, 201, 205, 297, 120-B IPC, 1860 and 7, 13 Prevention of Corruption Act, registered at Police Station City Hansi, District Hansi.

3. The FIR 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 conducted Post Mortem of Chhotu Ram (deceased) and showed death due to injuries sustained.

4. Learned counsel for the petitioner submits that petitioner is in custody since 14th September, 2021. Investigation is complete. He is not a

report (for brevity 'PMR'), cause of death is injuries sustained on the chest.

Co-accused was granted bail by this Court.

5. Learned State counsel opposes the prayer for grant of regular bail and submits that it is a case of causing loss to public exchequer. He further submits that petitioner conducted Post Mortem.

6. *Prima facie*, the petitioner is not a beneficiary of the insurance claim received. The cause of death is debatable issue and would be subject matter of the trial. The conclusion of the trial is likely to take time, co-accused was granted bail. The petitioner is granted regular bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

30th November, 2021

Parveen Sharma

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No