

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-50196-2021 (O&M)
Date of Decision:- 06.12.2021

Vikram ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashok K. Sharma (Bhana), Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by Inspector Nayab Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in a case registered vide FIR No.33, dated 21.3.2020, Police Station Alewa, District Jind, under Sections 420, 406, 120-B IPC (Sections 466, 467, 468, 471, 201 IPC added later on).
2. The FIR was lodged pursuant to information received from an unknown person wherein it is alleged that Manoj and Salim used to get insured such persons who were suffering from serious ailments like cancer etc. and upon their death, the cause of death used to be shown as some other reason so as to get insurance money and thus

insurance companies were being defrauded of crores of rupees with connivance of bank officials. It is alleged that Salim used to get information about identity of cancer patients from officials of cancer Ward of PGI, Rohtak and thereafter Manoj used to trace out the said patients so as to convince them for getting them insured. It is further alleged that manipulated post mortem reports used to be procured and thus insurance money was got released with connivance of the officials of insurance company on the basis of such documents. It is alleged that the said person used to take security cheques from the family members of the cancer patients and used to give a small amount to the family members. It is alleged that a few days back Balbir had died on account of cancer and Manoj in collusion of Sunil son of Balbir had got huge money from insurance company though Balbir had died on account of cancer. It is alleged that Salim, Manoj and Sunil had shown the death of Balbir as a natural death and had got a false post mortem report prepared and had thus defrauded the insurance company to the tune of ₹98 lakhs. It is alleged that Manoj and Sunil had conversation on their phone which had been recorded. It is further alleged that Manoj had amassed huge wealth in this manner. It is also stated therein that similarly one Krishan had expired on account of cancer but Salim and Manoj in connivance with Krishan's son namely Vikram had shown the death to be a natural death and had got huge amount released from insurance company. In a similar fashion one Jaimal had also been insured. It is alleged that accused persons were having links with one Rajiv

Kaushik who was confined in jail and that in case investigation is conducted a big scam would be unearth which would include doctors, officials of insurance company and others.

3. Learned counsel for the petitioner has submitted that it is a case where petitioner's father died on account of cancer and that he had no role to play in the issuance of insurance policy of his father which had been got issued by his father himself. It has further been submitted that fraud, if any, can be said to have been played by Manoj and that the petitioner has no role for the same.
4. On the other hand, learned State counsel has opposed the petition by submitting that the petitioner played an active role in the instant case in connivance with other co-accused and had concealed the material factum of his father being ailing from cancer at the time when insurance policy was issued. It has further been submitted that the petitioner is the beneficiary inasmuch as an amount of Rs.18 lakhs has been credited in his bank account on account of 3 different insurance policies in respect of his father which were got issued by him in connivance with co-accused while being fully aware that his father was suffering from cancer and by concealing the said fact. It has however, been informed that the petitioner as on date has been behind bars since the last about 1 year 1 month and 15 days and that he is not involved in any other case. It has been informed that as on date 2 out of the cited 29 PWs have been examined.
5. I have considered rival submissions addressed before this Court.

6. Without commenting anything as regards the merits of the case but while noticing that the petitioner has been behind bars for a substantial period of more than one year and otherwise has a clean record, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume time since only 2 out of the cited 29 PWs have been examined. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

06.12.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No