

**215 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-52551-2021
Date of Decision: 21st December, 2021**

Rakesh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

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

Ms. Geeta Sharma, DAG, Haryana for the respondent-State.

AVNEESH JHINGAN, J.(Oral)

1. The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 82, dated 24.03.2018, under Sections 279, 304-A of IPC 1860, Sections 279, 304-A of IPC 1860 deleted and Sections 180, 193, 201, 205, 297, 420, 464, 465, 468, 471, 472, 120-B, read with Section 34 IPC, 1860 and Section 7 of Prevention of Corruption Act, 1988 added later on, registered at Police Station Civil Line Sonapat, District Sonapat.

2. Briefly stated the above said FIR was registered on statement of Ankush regarding death of his father Satyanarayan due to injuries suffered in accident caused by rash and negligent driving of the offending car. The police investigated the case and during investigation it was found that co-accused Pawan Bhorla along with his accomplices, doctors and police officials was running a racket by getting cancer patients insured from the insurance companies, showing their death to have occurred due to road side accidents and claiming compensation from the Insurance companies. Pawan Bhorla in conspiracy with other co-accused got the false papers of accident case prepared and the petitioner and his co-

accused Dr. Ambuj Jain gave false post mortem examination report as to death of Satyanarayan due to ante-mortem head injury. On completion of investigation police filed the charge-sheet against the petitioner and co-accused Pawan Bhoria.

3. Learned counsel for the petitioner submits that petitioner is in custody since 31.08.2021, he was produced on production warrants, investigation is complete, challan stands presented. He relies upon the fact that main accused-Pawan Bhoria was granted regular bail by this Court. He further submits that petitioner was named in a disclosure statement and as per allegations petitioner exchanged more than hundred calls with Pawan Bhoria.

4. Learned State counsel opposes the prayer for grant of regular bail and submits that a big scam was being run and the petitioner has a specific role to assist Pawan Bhoria for claiming false insurance.

5. Mere involvement of petitioner in other FIR itself would not be a ground to deprive the petitioner of his personal liberty. Petitioner was named in disclosure statement, investigation is complete, conclusion of the trial is likely to take time and co-accused were granted anticipatory and regular bail by this Court petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

6. The petition is allowed.

7. 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

21st December, 2021

Parveen Sharma