

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1887-2022 (O&M)
Date of decision: 14.03.2022

Saleem

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Mamli, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.219 dated 17.10.2020 under Sections 120-B, 420, 467, 468, 471 IPC, registered at Police Station Rajaund, District Kaithal.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of one Sandeep Kumar that the petitioner along with co-accused Manoj had made life insurance policy of cancer patients, by producing fake documents so as to raise claim from the insurance company at a later stage. It is further submitted that the petitioner is in custody since 13.05.2021 and is not involved in any other FIR of similar nature. It is also submitted that one co-accused of the petitioner, namely Usha Devi, has been

granted the concession of regular bail by the Additional Sessions Judge, Kaithal vide order dated 14.10.2021 and in FIR No.709 dated 03.11.2020 under Sections 120-B, 193, 297, 420, 467, 468, 471 IPC and Sections 7 & 13 of PC Act, the petitioner has already been granted regular bail by the Coordinate Bench of this Court vide order dated 08.02.2022 passed in CRM-M-30694-2021. The operative part of the order reads as under: -

“... 5. Learned State counsel opposes the prayer for grant of regular bail and submits that at the time of arrest of the petitioner a sum of Rs.66,87,300/-, Welcome Kit for opening the bank account, pass book/cheque book, ATM card (total 239 items), two diaries, one register, 39 OPD cards, computer CPU, 40 policy kits, ID proofs, i.e. Aadhaar Cards, PAN cards relating to the IDs of cancer patients and their nominees, were recovered from his possession. She further submits that the petitioner has confessed his guilt during interrogation and that he is involved in 11 more FIRs, which are having similar allegations.

6. The petitioner is in custody since 20th March, 2021. No further recovery is to be made from the petitioner. The investigation is complete and challan stands presented. The co-accused have been granted regular bail. Even the doctor who allegedly conducted post mortum, has been granted bail by this Court. There are 43 prosecution witnesses, however, not even a single witness has been examined till date. Thus, the conclusion of trial is likely to take time...”

Learned counsel for the petitioner has further submitted that the investigation in this case is complete; out of total 35 prosecution witnesses, only 08 PWs have been examined and since the offences are triable by the Court of Magistrate, it will take long time in conclusion of the trial.

Learned State counsel, on the basis of custody certificate dated 13.03.2022 filed in the Court today, has not disputed the factual position. As per the custody certificate, the petitioner is in custody for the last 10 months and 14 days and is involved in three more FIRs of similar nature and in FIR No.709, he has already been granted the concession of regular bail.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

14.03.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No