

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

**CRM-M-12983 of 2022
Decided on: 29th March, 2022**

Bhola Singh

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. R. S. Joshi, Advocate for the petitioner.
Ms. Dimple Jain, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

The petitioner is before this Court seeking anticipatory bail in FIR No. 181 dated 13.7.2021, under Sections 420, 465, 468 and 471 IPC, registered at Police Station Narwana City, District Jind.

The brief facts are that the FIR was registered on a complaint filed by Senior Manager, Legal, TATA AIA Life Insurance Co. Ltd., Chandigarh against Pankaj alleging fraud. The case set up is that life insurance policies were being procured for terminally sick people by forging the documents and thereafter claiming the insurance amount. The role attributed to the petitioner is that Natha Singh (deceased) expired on 15.3.2020 due to heart attack. His death certificate was procured by the petitioner altering date of death and Somi Singh impersonated as Natha Singh for medical examination, thereafter, insurance policy was procured to claim the insurance money.

Learned counsel for the petitioner submits that the petitioner is not the beneficiary, he was not related to the deceased, he is 46 years

illiterate person, not connected with the insurance agent and he is not in a position to forge any document.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of anticipatory bail. She submits that during investigation, the active role played by the petitioner was revealed and his custody is required.

In **State of Gujarat v. Mohanlal Jitamalji Porwal and others**, (1987) 2 SCC 364, the Supreme Court held as under:

“5..... The entire community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the community. A disregard for the interest of the community can be manifested only at the cost of forfeiting the trust and faith of the community in the system to administer justice in an even-handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest....”

In **Y.S. Jagan Mohan Reddy v. CBI**, (2013) 7 SCC 439, the Supreme Court held as under:

“34. Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail.

The economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country.”

In the present case, the role attributed to the petitioner is of forging the death certificate and thereafter producing Somi Singh for medical examination in place of the deceased. In cases having such allegations, each of the accused has a definite role assigned which is performed in a pre-planned manner. One loose end left during the probe ensures that the entire web is un-knitted. For a deeper probe to unearth the *modus operandi*, custody of the petitioner would be necessary.

No case is made out for anticipatory bail.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

29th March, 2022
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |