

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

DECIDED ON: 24th March, 2022

(1) CRM-M-52986 of 2021

Rakesh

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

(2) CRM-M-53028 of 2021

Rakesh

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Pratham Sethi, Advocate for petitioner.

Ms. Tanushree Gupta, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner is seeking regular bail in case of FIR No. 76 dated 3.3.2020, under Section 420, 468, 471 IPC, 1860 and Section 7 of the Prevention of Corruption Act, 1988 and Sections 201, 419, 464, 465, 193 and 120-B IPC, 1860 added lateron, registered at Police Station Rai, District Sonapat and FIR No. 135 dated 11.4.2019, under Sections 279, 304-A IPC, 1860 (Section 279, 304-A IPC, 1860 deleted and Sections 201, 205, 420, 464, 465, 468, 471, 472, 193, 297, 120-B, 180 read with Section 34 IPC, 1860 and Section 7 of the PC Act, 1988 added later on) registered at Police Station Civil Line Sonapat, District Sonapat.

The FIR was registered stating that accused in connivance with Insurance Company officials and Doctors were getting the life insurance claim of Cancer Patient by changing the cause of death to a road accident.

Learned counsel for the petitioner submits that the petitioner is in custody since 31.8.2021. He was not named in the FIR. He was nominated on the basis of disclosure statement. The allegations are that he was in constant contact with the co-accused-Pawan Bhoria. His mobile number was mentioned in the account opening form of deceased and there was recovery of downloaded copy of Insurance Company Policy of deceased. The contention is that the petitioner is nominated due to his involvement in other three FIRs having similar allegations though he was granted bail in the said FIRs. He further relies upon the fact that main accused Pawan Bhoria was released on bail, investigation is complete and no recovery is to be made.

Learned State counsel opposes the prayer and submits that there was big scam where frivolous insurance claims were being claimed by colouring the death due to Cancer in a road side accident.

The name of the petitioner surfaced in a disclosure statement, co-accused were granted bail by this Court, investigation is complete, conclusion of trial is likely to take time and his involvement in other FIR itself would not be sufficient to deprive his personal liberty, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petitions are allowed.

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

Photocopy of this order be placed on the file of connected case.

(AVNEESH JHINGAN)
JUDGE

24th March, 2022

reema

Whether speaking/reasoned
Whether reportable

Yes
No