

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

CRM-M-18517-2023 (O&M)
Date of Decision:- 24.4.2023

Manoj Kumar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Raj Kapoor Malik, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana,
assisted by ASI Joginder.

FIR No.	DATE	POLICE STATION	OFFENCES
709	03.11.2020	City Hansi, District Hisar	120-B, 193, 297, 420, 467, 468, 471 IPC (Sections 7, 13(1) of Prevention of Corruption Act, 1988 added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered in a case arising out of above mentioned FIR.
2. The FIR was lodged at the instance of Dr. Vasu Pawar, Deputy Manager, Health and PA Investigation, SBI General Insurance Company, to the effect that several persons had joined hands so as to

deprive insurance company of huge amount. It is alleged that the said persons used to convince persons having terminal diseases and who were at vulnerable stage of life, to get themselves insured with multiple insurance companies. Upon event of their deaths, their deaths used to be shown as unnatural deaths having taken place in some accident and thereafter insurance claims were submitted and the amount so received as insurance claims were shared amongst the beneficiaries and other accused. It is alleged that several Advocates, Doctors and Police Officials were also involved with them. As per the case of prosecution the petitioner had played active role in getting people insured who were having terminal diseases.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case mainly on the basis of a news item reported in newspaper and that there is no credible evidence to connect him with the alleged scam. The learned counsel has further submitted that in any case since the beneficiaries as well as the Doctors who had conducted post mortem examination on the dead bodies of the insured have already been granted bail, the petitioner also deserves the same concession on the grounds of parity. It has been informed that co-accused Salim, Sunil, Vijay Sarup have already been granted bail and as such the instant petition deserves to be allowed qua the petitioner particularly when he has been behind bars since the last about 4 months.
4. Opposing the petition, learned State counsel submits that since the petitioner had played a pivotal role in getting terminally ill patients insured leading to colossal loss to the insurance companies, his

complicity is clearly evident. It has further been informed that the petitioner happens to be involved in 7 other cases. It is informed that the charges have already been framed and as on date only 4 out of the cited 46 PWs have been examined.

5. This Court has considered the rival submissions.
6. No doubt, the prosecution claims to have collected evidence indicating the complicity of the petitioner in getting terminally ill patients insured, but the fact remains that the petitioner has been behind bars since the last about 4 months. Conclusion of trial is likely to take time inasmuch as only 4 out of cited 46 PWs have been examined. In these circumstances further detention of the petitioner is not justified. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

24.4.2023
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(GURVINDER SINGH GILL)
JUDGE

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