



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

110

CRM-M-63664-2024
Date of decision: December 18th, 2024

Sunil Kumar
.....Petitioner

Versus

State of Haryana
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Maninder Arora, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail in
FIR No.439 dated 27.11.2024 under Sections 318(4), 336(3), 338, 340
and 61 of the BNS, registered at Police Station Civil Lines, Hisar.

2. Learned counsel for the petitioner submits that a false and
fabricated case has been planted upon the petitioner, who had no
concern whatsoever with the fake medical bills of wife of Dalvinder,
Safai Karamchari; the petitioner was not to be a beneficiary of the fake
medical bills allegedly submitted by co-accused Dalvinder. A prayer has
been made that in the given circumstances, the petitioner's custodial
interrogation would not be required and he be thus granted the
concession of anticipatory bail.

3. Notice of motion.

4. Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana, accepts notice on behalf of the State.

5. Learned State counsel has vehemently opposed the prayer
and submissions made by the counsel opposite. It has been submitted

that the petitioner along with co-accused Dalvinder had not only indulged in clearing the fake medical bills of co-accused Dalvinder's wife but had also got a fake medical bill prepared in the name of his own wife Mehnda in the sum of ₹2 lakh; in addition, six other fabricated and fake medical bills had been prepared by the petitioner in the names of different persons, which were then forwarded to co-accused Johnny, Data Entry Operator. Learned State counsel has submitted that on account of preparation of fake medical bills, the State had incurred losses running into lacs of rupees. Learned State counsel submits that the custodial interrogation of the petitioner would be necessitated in view of the serious and specific allegations levelled against him.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. *Prima facie*, there are serious and specific allegations levelled against the petitioner in the FIR in question, which stands reproduced hereinunder:

“Office of Municipal Corporation Hisar. Sent to Police Station House Officer, Police Post, H.A.U. Hisar. Sr. No. 5842EA dated 27/11/24 Subject: Regarding registration of FIR for fake medical bill of Smt. Poonam wife of Shri Dalvinder, Sweeper. In reference to the above subject, in continuation of this office's letter No. 653 / CMC / Camp dated 25.10.2024 and 5815 / EA dated 26.11.2024, it is written to you that in the office of Municipal Corporation, Hisar, Shri Dalvinder, Sweeper, submitted the medical bill of his wife Smt. Poonam in the office through office letter No. 4025 dated 27.08.2024, after investigating which was found that the said medical bill is fake. According to the report of the investigation

committee, the following employees have been found to be involved in the fake medical bills: 1. Shri Johnny, Data Entry Operator (Han), Municipal Corporation, Hisar. 2. Shri Sunil, Beldar, Establishment Branch (Health), Municipal Corporation, Hisar. 3. Shri Surendra Hooda, Assistant Sanitation Inspector, Sanitation Branch, Municipal Corporation, Hisar. 4. Shri Dalvinder, Safai Karamchhari, Municipal Corporation, Hisar. As per the report of the Inquiry Committee, it has been found in the fake medical bill that Shri Johnny, Data Entry Operator (HAN), Shri Sunil, Beldar, Shri Surendra Hooda, Assistant Sanitation Inspector and Shri Dalvinder, Safai Karamchhari have cheated Municipal Corporation, Hisar, prepared fake documents and attempted to cause financial loss to the office of Municipal Corporation, Hisar and have committed forgery. Involvement of any employee in fake medical claim is a serious crime. Therefore in continuation of the letters sent earlier in this matter, as per this letter, a report is sent to you for registering a case (FIR) against the above mentioned four employees, Shri Johnny, Data Entry Operator (Han), Shri Sunil, Beldar, Shri Surendra Hooda, Assistant Sanitation Inspector and Shri Dalvindra, Sanitation Worker, for fraud, preparing fake bills and papers, attempting to cause financial loss to the corporation and forgery, in view of the rules of the Indian Penal Code and the Investigation Report of the above mentioned case has already been sent. SD Pardeep Additional Municipal Commissioner, Municipal Corporation, Hisar.”

8. In the facts and circumstances as enumerated hereinabove and the *prima facie* involvement of the petitioner in the offences as alleged, he does not deserve the extraordinary concession of anticipatory bail.

9. The instant petition stands dismissed.

10. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

December 18th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No