



CRM-M-49666 of 2025

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

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CRM-M-49666 of 2025
Date of Decision: 05.09.2025

Gurmel Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Jasvir Singh Dhaliwal, Advocate for the petitioner.

Mr. Ravinder Singh, DAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.94 dated 16.07.2025 registered under Sections 419, 420, 465, 467, 468, 471 and 120-B of IPC, at Police Station Jhunir, District Mansa.

2. Brief facts of the present case are that an FIR was registered on the statement of Anil Kumar, Manager Max Life Insurance Company Ltd., Chandigarh. He stated that policy No.148712078 was applied on the name of Kuldip Singh son of Gurmail Singh resident of village Fatehpur, Mansa, Punjab. Gurmail Singh had raised a death claim on 14.03.2024 with the company stating that Kuldeep Singh (life assured) had died on 06.11.2023, Gurmail Singh had also submitted claim form and death certificate. Cause of death as reported in claim was heart attack. During internal inquiry, it was revealed that deceased was 5th pass and unemployed since long. It was also

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revealed that he was a drug addict. He further stated that on checking of the records, it was revealed that the date of death of the Kuldeep Singh was 23.08.2023 which was prior to the date of issuance of the policy. Investigator also procured the statements of Sarpanch and people in the vicinity confirming the date of death as 23.08.2023. The photo submitted at the application stage was not that of insured. It has been stated that Gurmail Singh and his accomplices managed to get the death registered at different place by providing the fake and false information and get the death certificate issued from CHC, Talwandi Sabo. A false death claim has been applied only for the purpose of extracting money from the insurance company on the basis of the said insurance policy.

3. Learned counsel for the petitioner contends that the petitioner is innocent and he has been falsely implicated in the present case. He argued that the petitioner has not fabricated any document personally. He has neither impersonated any person nor tampered with any official record. He further argued that the evidence placed on record by the complainant in this FIR is result of an inquiry conducted by a private detective agency hired by insurance company and the same cannot be looked into. Further, co-accused Mandeep Singh and Krishan Poonia have already been granted the concession of interim anticipatory bail by this Court. He further argued that the custodial interrogation of the petitioner is not required for any recovery and he is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. After registration of the FIR, investigation proceedings have been initiated and are under way. Apprehending his arrest, the petitioner had moved



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an application for grant of anticipatory bail which has been dismissed by the Court of learned Sessions Judge, Mansa, vide order dated 25.08.2025.

5. On the other hand, learned State counsel, has opposed the prayer for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. He argued that the custodial interrogation of the present petitioner is required to know the entire nexus as to how they succeeded in procuring a false death certificate and for fair and proper investigation in the matter. Hence, he prays for dismissal of the petition.

6. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '*State Vs. Anil Sharma*', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being

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subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

7. In the present case, the allegations against the present petitioner are serious in nature. The petitioner had raised a death claim stating that his son Kuldeep Singh had died on 06.11.2023 whereas it was found that he had died on 23.08.2023. Gurmail Singh had submitted a death certificate in which the death of the deceased is mentioned to be 06.11.2023 which was issued by CHC, Talwandi Sabo. As per the prosecution, his custodial interrogation is required for effective investigation and if it is denied, it will leave many loose ends, which is not desired.

8. This Court has considered the contention of learned counsel for the petitioner that co-accused Krishan Poonia and Mandeep Singh have been granted interim anticipatory bail by this Court but the present petitioner cannot claim parity with them as the present petitioner Gurmail Singh is the direct beneficiary of the death claim.

9. In view of the discussion made above, the present petition being devoid of merits is accordingly dismissed.

10. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

(RUPINDERJIT CHAHAL)
JUDGE

05.09.2025*D.Bansal*

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No