

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

CRM-M No. 18476 of 2018

DATE OF DECISION :- May 29, 2018

Chhinder Pal Arora

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Bipin Ghai, Sr. Advocate
with Mr. Deepanshu Mehta, Advocate for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

This petition for regular bail has been filed by petitioner Chhinder Pal Arora, an accused in F.I.R. No. 345 dated 27.8.2017 for offence under Sections 120-B,121,145,150,151,152,153 IPC registered with Police Station Sector 5, Panchkula.

F.I.R. in this case was registered on the basis of written complaint submitted by Sh. Sanjeev Mahajan, In charge, City Dainik Bhaskar Newspaper to SHO Police Station Sector-5, Panchkula interalia stating that on 25.8.2017, when he was present at HAFED Chowk, Panchkula along with his companions then Aditya Insan and other Dera followers were observed hatching a conspiracy to spread the violence and he had got published the news along with photographs in his newspaper and that he could identify Aditya Insan and Surender Insan.

Learned Senior counsel for the petitioner has submitted that the petitioner was working as CEO in MSG All Trading (P) Ltd. since September

2016 and his main job was to help the company to increase share in the market of food products manufacture by the company; he used to get Rs.5 lacs per month as salary. The petitioner is a Chartered Accountant/Company Secretary having experience of 23 years. He has nothing to do with the activities of the Dera. He was never a member of any alleged core committee and had not attended any meeting. He has been falsely involved in this case. He is behind bars for about 7 months. Though challan has been filed against him but the conclusion of trial is likely to take some time. Several co-accused like Rajinder Singh, Ved Parkash etc. have been granted bail by this Court, as such this concession be also afforded to him.

Wherein, learned State counsel has opposed the request vehemently contending that petitioner played role in the conspiracy to spread violence after conviction of Head of Dera Sacha Sauda in the violence which had spread to large areas in the Northern India. Several persons have also lost their lives and valuable properties got damaged, therefore, bail should not be granted to him.

I have heard learned Senior counsel for the petitioner and learned State counsel besides going through the record.

As the things stand it is only during trial the guilt of the petitioner shall be established and it could be determined as to whether he was member of core committee which had hatched conspiracy to spread violence on conviction of the Dera Head, or not.

In the light of fact that petitioner is neither named in the F.I.R., no overt act has been attributed to him and no recovery of any weapon or incriminating substance or article has been effected from him and further the conclusion of trial is likely to take some time, I find that it would be in the

fitness of things to allow the petition for grant of regular bail to the petitioner.

Therefore, the petition is accepted. The petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Panchkula subject to the following conditions : -

- (i) he shall appear in the Court on each and every date of hearing.
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iii) he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

May 29, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No