

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

CRM-M No. 6971 of 2018
DATE OF DECISION :- April 06, 2018

Rajinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CRM-M No. 7582 of 2018

Ved Parkash

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Mr. P.S. Hundal, Senior Advocate
with Mr. Premjit Singh Hundal, Advocate
and Mr. Harinder Singh for the petitioners
in CRM-M No. 7582 of 2018.

Mr. Neeraj Poswal, AAG, Haryana.

My this order shall dispose of two petitions for regular bail bearing CRM-M No. 6971 of 2018 filed by petitioner Rajinder Singh and CRM-M No. 7582 of 2018 filed by petitioner Ved Parkash. Both of being accused in F.I.R. No. 345 dated 27.8.2017 for offences under Sections 145/146/186/150/151/152/153/121/121-A/216/120-B 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.

After registration of the F.I.R. the matter was investigated. Petitioner Rajinder Singh is stated to have surrendered before the police on 18.11.2017, whereas petitioner Ved Parkash had surrendered on 17.11.2017. They are behind bars since then. They had moved applications for grant of regular bail in the Court below but were unsuccessful, as such they have approached this Court seeking regular bail by way of filing the present petitions.

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

Learned Senior counsel for the petitioners has contended that both the petitioners are members of the committee for the State of Haryana to perform the religious functions of Dera Sacha Sauda and have nothing to do with hatching any conspiracy to spread violence in aftermath of conviction of Head of Dera Sacha Sauda; that they are not named in the F.I.R.; that no overt act has been attributed to them and no recovery of any any weapon or incriminating substance or article has been effected from

them.

Through challan has been filed in the Court but charge is yet to be framed, therefore, they be granted regular bail. Whereas this request is being opposed by the State counsel vehemently stating that both the petitioners were members of the core committee which had entered into conspiracy to spread violence after conviction of Head of Dera Sacha Sauda and, therefore, bail should not be granted to the them.

As the things stand it is only during trial the guilt of the petitioners shall be established and it could be determined as to whether they were members of core committee which had hatched conspiracy to spread violence on conviction of the Dera Head.

In the light of fact that petitioners are neither named in the F.I.R., no overt act has been attributed to them and no recovery of any weapon or incriminating substance or article has been effected from them 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 petitions for grant of regular bail to the petitioners.

Therefore, both the petitions are accepted. The petitioners are ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Panchkula subject to the following conditions : -

- (i) they shall appear in the Court on each and every date of hearing.
- (ii) they shall not give any threat or intimidation to the

prosecution witnesses.

- (iii) they shall not leave India without prior permission of the Court and shall surrender their Passports, if they have got one otherwise to furnish affidavits in that regard.

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

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

A photocopy of this order be placed on the connected file.

(H.S. MADAAN)
JUDGE

April 06, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No