



CRM-M-26348-2025

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

208

**CRM-M-26348-2025
Decided on: 22.07.2025**

Rahul and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vikas Bishnoi, Advocate,
for the petitioners.

Ms. Shaveta Sanghi, D.A.G. Haryana.

Mr. Amandeep Chhabra, Advocate,
for respondents No.2 to 4.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
135	22.04.2025	Urban Estate, Hisar, Distt. Hisar	115, 118(1), 126, 190, 191(2) and 351 (3) of BNS (During investigation Section 110 of BNS has been added)

1. The petitioners apprehending arrest in the FIR captioned above have come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. In paragraph 6 of the bail petition, the accused declares that they have no criminal antecedents.

3. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

*2. That the briefly stated facts of the case are that the present case was registered on the complaint of complainant/respondent No. 2 namely Baljinder Singh son of Nirmal Singh, resident of Saniyana, Tehsil Tohana, District Fatehabad, contents of which are as below:-
Today on 22.04.2025, I was coming to Hisar from Uklana by train. I was accompanied by my friends Sonu and Karan. There was huge rush in the train. The leg of my friend Karan was accidentally touched by Rahul, a resident of Bheriya, who was sitting on the train. He started calling names to both of us, and an altercation ensued between us. On this, we asked him, "Brother, please don't call*



names." On this, Rahul said, 'You go to Hisar, and there I will see you.' We told him that nothing matters. You can visit us. After alighting from the train at Hissar railway station, we proceeded towards our shop on Nirankari Bhawan Road. My friend, Karan, crossed the railway crossing and was heading towards Nirankari Bhawan Road. Then, Rahul Baheria arrived, and upon his arrival, he slapped me, blocked my way, and gave me leg and fist blows. After that, Rahul's brother picked up a stone and hit my head. After that, Sonu and Karan tried to rescue me, then Rahul attacked Sonu with a knife, and the knife blow hit the thigh of Sonu. Rahul, his brother Gulshan, resident of Madan Pura, Sunder, resident of Madan Pura, Pushkar resident of Hisar, and 6-7 boys who had accompanied them, gave fist and leg blows to all three of us. They beat us badly, and while going, they threatened that today you are saved, and if in future you try to raise any dispute, then they will kill us. During this scuffle, around Rs. 40,000 fell from my pocket, and I was unable to find it. Rahul Bheriya, Rahul's brother resident of Madan Pura; Sunder, resident of Madan Pura and Pushkar, resident of Hisar, along with 6-7 persons who came with Rahul, blocked our way without any reason and gave us a beating. They also threaten to kill. After the fight, we arranged vehicle and went to the Civil Hospital, Hisar for treatment. Their doctor started our treatment. I have given my statement in front of Karan and Sonu. The same is read over and is correct. On the basis of aforesaid facts legal action was sought against Rahul and his brother, Gulshan, Sunder and Pushkar along with others who have gave us beatings to the complainant and his companion.

3. That after recording statement of the complainant, MLR's bearing No. DJ/03/2025 dated 22.04.2025 of Baljinder in which doctor mentioned total 2 injuries, MLR No. DJ/04/2024 dated 22.04.2025 of Karan Singh, in which doctor mentioned total 2 injuries and MLR No. DJ/05/2025 dated 22.04.2025 of Sonu Kumar in which doctor mentioned total 1 injury. Copies of MLR's of Baljinder, Karan Singh and Sonu Kumar are appended herewith as Annexure R-1, R-2 & R-3 respectively.

4. That on the basis of aforesaid facts the present case/FIR No.135 dated 22.04.2025 under sections 115, 118(1), 126, 190, 191(2) and 351(3) of BNS was registered at Urban Estate Hisar, District Hisar against the accused persons namely Rahul, Gulshan, Sunder and Pushkar.



CRM-M-26348-2025

4. The petitioners' counsel submits that the matter stands compromised with all the victims.
5. The victims' counsel also admits the factum of compromise and states that they have no objection to the petitioners' bail.
6. The petitioners' counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioners and their family.
7. The petitioners' counsel submits that the petitioners would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioners repeat the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioners shall have no objection.
8. The State's counsel opposes bail and refers to the status report.
9. It would be appropriate to refer to the following portions of the status report, which reads as follows:

"11. That as far as specific role of the petitioner/accused is concerned the petitioner/accused in connivance with each other by forming unlawful assembly, in pursuance of their common intention launched a concreted attack upon the complainant party and even inflicted injuries by using knife."

REASONING:

10. Because of no objection to the bail by the victims, this Court is inclined to grant bail with clarification that this bail on compromise shall not amount to the acceptance of compromise by the prosecution or the Court.
11. Given the compromise, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioners make a case for bail.
12. The petitioners' bail shall not be treated as a precedent for granting bail to other co-accused, if any.
13. Given above, provided the petitioners are not required in any other case, the petitioners shall be released on anticipatory bail in the FIR captioned above subject to



CRM-M-26348-2025

furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

14. While furnishing a personal bond, the petitioners shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

15. This order is subject to the petitioners' complying with the following terms.

16. The petitioners are directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioners shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioners shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioners shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

17. The petitioners shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioners shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

18. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

19. The significant consideration for granting bail is that the Court aims to give the petitioners another chance to course-correct, reform, and reintegrate into the community



CRM-M-26348-2025

as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

20. This bail is conditional, with the foundational condition being that if the petitioners repeat the offense or commit any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall may an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

21. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

22. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioners can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

23. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

22.07.2025

Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.