

2026:PHHC:083220



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

118

CRM M-30793-2026

Date of Decision: 26.05.2026

Rajjauallah and others

...Petitioner (s)

Vs.

State of Haryana

...Respondents(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Anmol Partap Singh Mann, Advocate
for the petitioners.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

Mr. Saurav Bhatia, Advocate and
Mr. Waqar Ahmed Khurshid, advocate
for the complainant.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioners have filed the present petition under Section 482 of the BNSS 2023 with a prayer to grant pre-arrest bail to them in FIR No. 57 dated 07.04.2026 under Sections 115, 118(1), 190, 191(3), 324(4), 333 and 351(3) of BNS 2023 (Section 118(2) BNS 2023 added later on) and erstwhile Sections 323, 324, 148, 149, 427, 452, 506 (Part II) IPC (Section 326 IPC added later on) registered at Police Station Nagina, Nuh, Haryana.

2. Learned counsel for the petitioner contends that FIR in the present case was registered by the complainant against 14 persons including the petitioners and several persons have been implicated by assigning them false roles. He further contends that even as per the

admitted case of the prosecution, the petitioners had caused simple injuries to the injured in the present case. He further contends that even the injury which attracted the offence under Section 118(2) of BNS was attributed to Tohid, co-accused, who had allegedly caused injury with a *Farsa* on the fingers of left hand of Liaqat Ali, injured. Learned counsel further contends that the petitioners had earlier surrendered before the police and recoveries, if any, were already made from them and they were ordered to be released on regular bail by the police itself. Now, the offence under section 118(2) of BNS has been added and the petitioners again apprehended their arrest in the present case. He further contends that the petitioners had already joined the investigation and no recovery was to be effected from them. Their custodial interrogation may not be required in the present case.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioners on the ground that the petitioners were part of the unlawful assembly which had caused injuries to 07 persons. However, the learned State counsel could not dispute the fact that the injury which attracted the offence under Section 118(2) of BNS is attributed to Tohid, co-accused, non-applicant. Apart from that, the State counsel on instructions from SI Ved Parkash submits that the petitioners had joined the investigation and *lathis* had been recovered from Aarif, Sajid, Rajjaullah, Toffik and Kamma.

4. I have heard learned counsel for the parties and perused the record.

5. It is not in dispute that the petitioners were earlier arrested by the police and were granted the concession of bail and recoveries have already been effected from them. Even, none of the petitioners has been attributed grievous injury on the person of Liaqat Ali and as per the case of the prosecution, they had allegedly caused simple injuries to the injured in the present case. Thus, in the considered opinion of the Court, the custodial interrogation of the petitioners may not be required.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioners are directed to surrender before the concerned Court/Duty Magistrate/CJM within a period of one week and on their doing so, they shall be admitted to bail upon furnishing bail bonds/surety bonds to the satisfaction of the concerned Court. The Court may also impose such conditions as it may deem appropriate.

26.05.2026		(N.S.SHEKHAWAT)
amit rana		JUDGE
Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No