



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

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Date of decision: 19.06.2026

CRM-M-33836-2026

RAKESH AND ANOTHER

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CRM-M-33861-2026

RAJNISH @ KALA @ RAJNEESH

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Ram Karan Sharma, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

Both these petitions for seeking regular bail in case bearing FIR
No. 61 dated 06.03.2026, registered under Section(s) 115(2), 117(2), 126(2),
190, 191(3), 351(3), 110 of BNS, 2023 at Police Station Badli, District Jhajjar
are being decided by common order.

2. A brief reference to the facts is, however, being made from CRM-M-33836-2026 titled as '*Rakesh and another versus State of Haryana*'.

3. Briefly stated, the present FIR was registered on the statement of Sandeep son of Japan, resident of Village Pelpa and the then serving Sarpanch of the said village. The complainant alleged that on 04.03.2026, he, along with Anuraj, Sarpanch of Village Bamdola, Mandeep son of Japan and Akshay son of Mangeram, was travelling in a Scorpio-N vehicle bearing registration No. HR-13U-3876. At about 5:00 p.m., they stopped at a liquor vend situated at Bamdola for purchase of liquor. According to the complainant, when Anuraj entered the liquor vend, an altercation ensued between him and the salesman. As the dispute escalated, Akshay and Mandeep broke open the door of the liquor vend, which had been locked from inside. The complainant claimed that he intervened and attempted to pacify the situation. Shortly thereafter, a police vehicle reached the spot, whereupon the complainant and his companions left the place and proceeded towards Village Bamdola. The complainant further stated that after travelling some distance, their vehicle was intercepted by an Endeavour vehicle which was positioned in front of them, obstructing their passage. The occupants of the said vehicle, including Prashant and Ankit, engaged in a scuffle with the complainant and his companions. Since the complainant was acquainted with Prashant, he intervened and managed to settle the dispute, following which they resumed their journey. The complainant further alleged that shortly thereafter, two more vehicles arrived at the spot carrying Monu @ Monu Posti, resident of Badli, Rajnish, resident of Badli and their associates. It was alleged that the said persons surrounded their vehicle and assaulted them with wooden blocks,

kicks and fist blows. During the course of the occurrence, Anuraj, Akshay and Mandeep managed to flee from the spot. The complainant alleged that after the others had left, he was assaulted by the accused persons and that Monu @ Monu Posti struck him on the head with the butt of a pistol, causing him to lose consciousness. He was subsequently taken to Oscar Hospital, Jhajjar, where he regained consciousness. Upon regaining consciousness, he noticed that the gold chain worn around his neck was missing. On the basis of the aforesaid allegations the present FIR was registered against Monu @ Monu Posti, Rajnish, Prashant, Ankit and their associates.

4. Learned counsel appearing on behalf of the petitioners contends that the petitioners were working as Helpers at the liquor vend being operated by co-accused Rajnish. It is submitted that the complainant, who is the Sarpanch of the village, had allegedly been demanding a sum of Rs.5 lakhs from Rajnish and his partners for permitting smooth operation of the liquor vend within the village limits. According to learned counsel, since Rajnish refused to accede to the said demand, the complainant and his associates developed animosity against him and the persons associated with the liquor vend. It is further contended that on 06.03.2026, the complainant, accompanied by his brother and several unidentified persons, came to the liquor vend and started abusing the salesman present there. When objection was raised to their conduct, the complainant and his associates started damaging the property of the liquor vend. Learned counsel submits that the employees of the vend immediately informed the police and the emergency helpline, whereupon the complainant and his companions fled from the spot. The entire incident was brought to the notice of the Station House Officer,

Police Station Badli, through a complaint submitted on the same day, but no action was initially taken thereon. It is submitted that subsequently FIR No. 63 was registered against the complainant and other persons associated with him.

5 Learned counsel further contends that three employees working at the liquor vend sustained injuries during the aforesaid occurrence. It is submitted that the incident forming the subject matter of the present FIR is stated to have taken place at the premises of the liquor vend and that the complainant, being an elected Sarpanch having political influence, succeeded in getting the present case registered against the petitioners at the first instance. It is submitted that the petitioners were initially arrested in connection with the case; however, since the offences originally invoked were bailable in nature, they were released on bail on 08.03.2026. It is contended that at the time of submission of the final report, the Public Prosecutor recommended addition of Section 110 of the BNS, 2023. It is contended that the said offence was not made out from the material collected during investigation and its inclusion was not based upon any medical evidence but only on the recommendation of the Public Prosecutor. Learned counsel further submits that the petitioners are in custody since 28.05.2026 and that no recovery is to be effected from them and that the investigation already stands completed. He submits that there are two Excise related cases against Rajnish but no other case against the remaining petitioners.

6. Learned State Counsel is not in a position to dispute the facts as aforesaid.

7. Having heard learned Counsel appearing on behalf of the respective parties and taking into consideration the submissions noticed as above including the fact that the addition of the offence under Section 110 of the Bharatiya Nyaya Sanhita, 2023 was based solely upon the recommendation of the Public Prosecutor, coupled with the arguable issues regarding the true genesis of the occurrence, the completion of investigation and the period of custody already undergone by the petitioners, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

8. The instant petitions are allowed and the petitioners are ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

9. It is made clear that the petitioners shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

JUNE 19, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No