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

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CRM-M-63857-2025 (O&amp;M)

Date of decision: 20.01.2026

**Nikhil @ Nikki @ Prince****...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Ms. Sakshi Khera, Advocate  
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

Mr. Zorawar Singh Chauhan, Advocate  
for the complainant.

**MANISHA BATRA, J. (Oral)**

1. This petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 176 dated 01.10.2023, registered under Sections 148, 149, 323, 324, 325, 379B, 452, 302, 506 and 120-B of IPC at Police Station Tigaon, Faridabad.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered at the instance of complainant Rajesh on 01.10.2023 alleging therein that on the same day, he along with his family members was present in his house. At about 08:30 AM, Rakesh Sharma, Rajesh Sharma, Ramesh, Dhanesh, Sandeep, Kallu, Sonu, Mohit son of Dhanesh, Gajender, Naveen, Karambir Sharma, wife of Rakesh Sharma, wife of Dhanesh, wife of Ramesh and son of Karambir entered into

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the house of the complainant armed with rods, dandas and they started giving beatings to the family members of the complainant. Rakesh Sharma gave blows with a rod on the hand, legs and chest of his mother Guddi. Co-accused Karambir gave blows with a rod on the legs, hand and waist of the complainant's father. Co-accused Kallu also gave rod blows on the leg of complainant's brother Rakesh. Co-accused Mohit, Parveen and Kallu gave beatings to Gunjan and Swati, sisters of the complainant, as well as to complainant's father Prabhunath. Co-accused Rakesh Sharma and other assailants also gave beatings to Prabhunath and other family members of the complainant. During the incident, the accused persons also recorded a video of the sisters of the complainant, who were without their clothes at that moment. They also took away an amount of Rs. 20,000/- and some other articles from the house of the complainant. The injured were brought to Central Hospital, Ballabgarh for treatment. During the course of treatment, Prabhunath, father of the complainant, succumbed to his injuries at Central Hospital, Ballabgarh. As alleged by the complainant, the cause of incident was that on 29.09.2023, the accused persons had left open their cattle in the fields of the complainant party, due to which, they suffered loss of the crop and in that regard, they have given a complaint against them and also that they had not voted for Rakesh Sarpanch in the Panchayat elections. The complainant prayed for taking strict legal action against the culprits. Inquest proceedings and postmortem examination of the dead body of the victim were conducted. After registration of the FIR, investigation proceedings were initiated. The accused persons were arrested on 18.11.2023. During the course

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of investigation, disclosure statement of co-accused Mohit was recorded, wherein he named the petitioner as one of the assailants. Subsequently, the petitioner was also arrested. After completion of necessary investigation and usual formalities, *challan* was presented in the Court and presently, the petitioner along with co-accused is facing trial for commission of aforesaid mentioned offences. He had moved an application before the trial Court for grant of regular bail but the same had been dismissed, vide order dated 22.09.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of the disclosure statement of co-accused which cannot be considered to be admissible in evidence. He was neither named in the FIR nor by any injured victims in their statements recorded under Section 161 of Cr.P.C. He did not cause any injury to the deceased and only injuries by sticks upon two injured persons have been attributed to him, that too, without any basis. The injured witness Guddi, who is wife of the deceased, has since been examined and has not involved him or any other co-accused in commission of the subject offences. The petitioner is in custody since 10.11.2023. Co-accused Mohit, Omdutt Saini, Rohit Mandiya, Vinay and Aniket @ Monnu have already been granted concession of regular bail by this Court. Even co-accused Sumit has been extended benefit of bail by the Hon'ble Supreme Court. The case of the petitioner is even on better footing. On parity, he too deserves to be given the same benefit. Conclusion of trial is likely to take time. His further detention would

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not serve any useful purpose. Therefore, it is urged that the petition deserves to be allowed.

4. Status report and custody certificate of the petitioner have been filed by the respondent-State. Learned State counsel, assisted by learned counsel for the complainant, has argued that keeping in view the gravity of the allegations levelled against the petitioner, he is not entitled to get benefit of bail. Therefore, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The FIR in this case was registered on the allegations that after hatching a conspiracy, the co-accused along with some unknown persons had opened an assault upon the complainant and his family members on 01.10.2023 and had caused injuries to them which resulted in death of father of the complainant and sustaining simple as well as grievous injuries by himself and his other family members. The petitioner was not named in the FIR and has been nominated as an accused on the basis of disclosure statement suffered by co-accused Mohit. A perusal of the record reveals that above named co-accused have already been extended benefit of bail. The petitioner is in custody since 10.11.2023. Even as per the allegations, no specific act or injury on the person of the deceased has been attributed to him. On parity, the petitioner also deserves to be given the same benefit. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned and further subject to his abiding by the following conditions:-

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- (i) The petitioner will not tamper with evidence during trial.
- (ii) He will appear before the trial Court on each and every date fixed, unless is exempted by specific order of the Court.
- (iii) The petitioner shall not commit any offence similar to the offence of which he is an accused.
- (iv) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.
- (v) Any infraction shall entail in withdrawal of the benefit granted by this court.

7. In the eventuality of breach of any of the aforementioned conditions, the respondent-State shall be at liberty to move an application seeking cancellation of the bail.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

20.01.2026

*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*