

**IN THE COURT OF VANI GOPAL SHARMA
SESSIONS JUDGE, GURUGRAM**



CIS No. : BA-197-2026
CNR No. : HRGR01-000512-2026
Case Number : 24-2026
Date of Institution : 09.01.2026
Date of Order : 15.01.2026

1. Rishi, aged 46 years, son of Shri Rajender, resident of near High School, Jharsa, Gurugram.
2. Bharti, aged 41 years, wife of Rishi, resident of near High School, Jharsa, Gurugram.

... Petitioners

Versus

State of Haryana, through Public Prosecutor, Gurugram

... Respondent

Case FIR No.18 dated 07.01.2026
U/s : 115, 333, 351(3), 3(5) BNS
P.S. : Sadar Gurugram

**Bail application under section 482 of
B.N.S.S. for anticipatory bail**

Present When Argued

Ms. Neelam Yadav, Advocate, counsel for the petitioners.
Shri Vishal Raj, Public Prosecutor for respondent-State.

ORDER

The present application for anticipatory bail has been filed by the petitioners alleging that petitioners have been falsely implicated in the present case whereas they have nothing to do with the alleged offences. It is submitted that a false FIR has been registered on false and bogus facts by

(Vani Gopal Sharma)
Sessions Judge, Gurugram

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the police in collusion with the complainant with the sole motive to harass and pressurize the applicants. Further, that a civil litigation between the complainant and accused is pending before the Court wherein both the parties are directed to maintain status-quo over the suit property. It is submitted that on 28.12.2025 complainant alongwith police deliberately breached the condition imposed by the Court as he had broken the lock of the gate and damaged the CCTV cameras installed by the accused and the said incident has been captured in the CCTV camera and thereafter, accused made a call on police help line number and got registered the complaint vide No.9909288 and on the same day one written complaint was also given by Saroj wife of Shri Harish for the same incident but police did not take any action. On 29.12.2025 complainant again reached the property in dispute and started putting his material over the suit property, upon which accused gave a written complaint to the Commissioner of Police but no action was taken by the police. The accused are not required in any kind of investigation nor any kind of custodial interrogation is required. No useful purpose will be served by arresting the accused/petitioners. They should also abide by all the terms and conditions imposed by this court. It is therefore prayed for grant of anticipatory bail to the petitioners.

2. Notice of the bail application was given to the State. Reply to the bail application has been filed by the State opposing bail. As per prosecution case, complainant Rajan Pahwa submitted a written complaint to the police alleging that 07.01.2025 afternoon at around 4.30 PM, in his

plot which was situated in village Tikri, his gardener and helper were cleaning the bushes, where Rishi Thakran, Bharti Thakran, Harish Yadav and Saroj Yadav, all four jumped the wall and illegally entered the plot and attacked upon his gardener with fatal sharp weapons and sticks and threatened to kill him. His gardener informed him on the phone, upon which he got admitted his gardener to Shivam Hospital due to serious injuries, who is still admitted to the hospital and his MLR has been prepared. Accused Rishi Thakran is a history-sheeter criminal. It was requested to lodge an FIR and strict action be taken against those persons and he be also provided police protection as he has a life threat from them.

3. On the basis of the above complaint, FIR was registered. Investigation was set into motion. The place of incident was inspected and rough site plan of the same was prepared. The MLC and treatment summary of the injured Phoolchand was obtained from Shivam Hospital, Sector 30, Gurugram. On 12.01.2026, the statement of injured Phoolchand was recorded. The weapons used in the incident are yet to be recovered from the accused. It is submitted that against accused Bharti three criminal cases and against accused Rishi four criminal cases, stands registered and if they are admitted to anticipatory bail, they may put pressure upon the witnesses. It is prayed for dismissing the bail application.

4. I have heard learned counsel for the accused/petitioners and learned Public Prosecutor for State and have gone through the case file carefully.

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Rishi and another

Versus

State of Haryana

5. Perusal of reply reveals that there is a civil dispute pending between the parties in which the complainant is having restraint order in his favour from the trial court and learned appellate court has directed the parties to maintain “status-quo”. Otherwise also, police has to recover dandas used in the commission of crime from the accused persons. Therefore, I do not find it fit to grant bail to the petitioners at this stage. The investigations might get prejudiced if the accused/petitioners are granted anticipatory bail. Therefore, without commenting on the merits of the case, the present bail application is hereby dismissed.

6. No observation made in this order shall affect the merits of the case. File be consigned to record room after due compliance.

Pronounced in open Court.

Dated: 15.01.2026

(Virender Singh)

(Vani Gopal Sharma)
Sessions Judge, Gurugram
UID No.HR0073

(Vani Gopal Sharma)
Sessions Judge, Gurugram

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