



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

CRM-M-35501-2026 (O&M)
Reserved on: 14.07.2026
Pronounced on: 16.07.2026
Uploaded on: 16.07.2026

LOKESH @ RABADI

...Petitioner

Versus

STATE OF HARYANA

...Respondent

Coram: Hon'ble Mrs. Justice Shalini Singh Nagpal

Argued by: Mr. Sourabh Sharma, Advocate
for the petitioner.

Mr. Kshitij Bharti, Assistant Advocate General, Haryana.

Mr. Shashikant, Advocate
for the complainant.

SHALINI SINGH NAGPAL J.

1. Petitioner seeks regular bail in case arising out of FIR No. 41 dated 01.03.2026 under Sections 115, 126, 3(5), 351(3) Bharatiya Nyaya Sanhita, 2023, Police Station Nangal Chaudhri, District Mahendergarh. Offence under Sections 109(1) BNS was added in the FIR and Sections 110 and 238 BNS were deleted from the FIR during investigation. This is the first petition for regular bail.

2. Complainant alleged that on 24.02.2026, at around 4.45 PM, Siddharth @ Chakia son of Suresh, Lokesh @ Rabri son of Narendra and Narendra son of Rameshwar quarreled with him and abused him. He was separated by passer byes. When he was returning to his house and stopped in front of Shani temple, Siddharth, Lokesh and Narender came with iron rods and attacked him. Lokesh tried to hit him on his head with iron pipe, which



hit his hand. Siddharth hit his legs with iron rods and all three of them continued to attack him with intention to kill him. His wife and other women intervened and got him released. His hands and legs were completely broken. Lokesh and Siddharth had many cases registered against them.

3. Learned counsel for the petitioner submits that co-accused namely Narender had been released on interim anticipatory bail by this Court vide order dated 14.07.2026. Initially, the police invoked only Sections 115, 126, 3(5), 351(3) BNS and later on, the offence under Section 109(1) BNS (307 IPC) was added in the FIR. Only attribution to the petitioner was a blow on the hand of the complainant with iron pipe, which did not attract the offence under Section 109(1) BNS being on non-vital part. There was 04 days delay in lodging the FIR. The medical opinion declaring three grievous injuries on the legs and little finger, being dangerous to life, was suspicious and petitioner was not shown to have nursed the intention to attract the offence under Section 109(1) BNS. Petitioner, thus, deserved to be enlarged on regular bail.

4. Learned State counsel assisted by learned counsel for the complainant opposed the prayer for regular bail arguing that there were specific allegations against the petitioner, whose intention was to hit the complainant on his head. Three injuries were attributed to him and there were 13 cases registered against the petitioner, on which account he did not deserve the concession of regular bail.

5. Co-accused Narender has been enlarged on interim anticipatory bail vide order of this Court dated 14.07.2026. Injury attributed to the petitioner is on the hand of complainant with iron pipe leading to fracture. In view of the ratio of law laid down by Hon'ble Supreme Court in **Prabhakar**



Tiwari Vs. State of UP and Anr. 2020(1) RCR (Criminal) 831 and **Maulana Mohd. Amir Rashadi Vs. State of U.P. and Others** 2012(2) SCC 382, the involvement of accused in other criminal cases cannot be the sole ground to deny him the concession of bail. Whether the petitioner nursed the requisite intention to cause death of the complainant is a question, which can be decided only on conclusion of trial, on appreciation of oral and documentary evidence. The fact remains that there is no injury on any vital body part suffered by the complainant. Petitioner is in custody for more than 04 months. In the facts and circumstances of the case, but without a comment on merits, petition is allowed. Petitioner is ordered to be released on regular bail subject to his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate.

6. Pending CRM(s), if any, are also disposed of accordingly.

(SHALINI SINGH NAGPAL)
JUDGE

16.07.2026

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No