



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-20040-2026
Decided on : 19.05.2026

SAURABH @ SAURABH KAUSHIK

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Sakshi Khera, Advocate, (*through VC mode*),
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

1. Present petition has been filed by the petitioner, seeking grant of regular bail, in case, FIR No.417, dated 27.06.2019, under Sections 302, 34 IPC 1860 (corresponding to 103, 3(5) BNS) and section 25 of the Arms Act, added later on, sections 120B, 303, 212, 201, 387 IPC 1860 (corresponding to sections 61(2), 104, 249, 238, 308(4) BNS) and section 29 of Arms Act, registered at Police Station Sector 8, District Faridabad.

2. The first bail petition filed by the petitioner, i.e. CRM-M-13366-2025, was disposed of, vide order dated 10.09.2025 (Annexure P-1), whereby the trial Court was directed to conclude the trial within a period of six months. Liberty was also granted to the petitioner to file a



fresh petition for bail, in the event, trial was not concluded within the stipulated period. Accordingly, present second petition for grant of regular bail has been filed.

3. Counsel for the petitioner submits that at the first instance, petitioner had earlier been granted the concession of bail by the trial Court itself, vide order dated 25.05.2021 (Annexure P-14), after observing that investigation had already been completed and apart from the disclosure statement, no incriminating material had been collected against him. The relevant extract of the said order is reproduced below for reference:-

“After hearing the contentions raised by learned counsels for the applicant-accused as well as learned Public Prosecutor, it is revealed that applicant-accused is in judicial custody since one year and ten months i.e. w.e.f. 13.7.2019. Investigation has been completed. Challan has been presented and trial will take long time to conclude. Moreover, apart from disclosure statement there is no other incriminating material against the applicant-accused. Co-accused Atul has already been released on bail by the Hon’ble High Court. The case of the applicant-accused is also on the same footings as of Atul. Keeping in view the above facts and circumstances, without commenting on the merits of the present case and in view of detention undergone by the applicant-accused prayer of the applicant-accused for regular bail is allowed subject to furnishing of bail bonds in the sum of Rs.1 lac with one surety in the like amount to the satisfaction of this court/Duty Judge. Application be attached with the main case file.”



4. Subsequently, on account of his absence, concession of bail granted to the petitioner was cancelled vide order dated 20.07.2023, following which he was re-arrested on 01.04.2024. Thus, petitioner remained absent for a period of approximately eight months.

5. Learned counsel for the petitioner submits that, out of total 75 prosecution witnesses, only 38 have been examined, till date. It is further contended that petitioner has undergone incarceration for a total period of four years and five months in the present case. On these grounds, and considering the stage of the trial, prayer has been made for grant of regular bail to the petitioner.

6. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that petitioner was implicated in the present case on the basis of the disclosure statement, with allegations that he had conducted *reki* of the location of the deceased, namely Vikas Chaudhary, who was murdered in the market area of Sector-9, Faridabad.

It is further submitted that, after re-arrest of the petitioner in the present case, he was also arrested in another case, wherein he allegedly confessed to his involvement in conducting the reconnaissance (*reki*) in the present matter. Thus, he prays for dismissal of the present petition.

7. This Court has heard learned counsel for the parties and perused the record available on file.



8. Admittedly, petitioner has been implicated in the present case primarily on the basis of the disclosure statement of a co-accused. Out of total 75 prosecution witnesses, only 38 have been examined so far, and therefore, conclusion of the trial is likely to take considerable time. After his re-arrest, petitioner has remained in custody for a period of approximately two years and one month, while his total period of incarceration in the present case comes to four years and five months. Nevertheless, allegations against the petitioner are yet to be established by the prosecution through cogent evidence and by proving the charges beyond reasonable doubt.

9. Therefore, in view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of bail to the petitioner in the present case.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

12. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

19.05.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO