



CRM-M-71299-2025

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

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Decided on :05.03.2026

Gaurav Pandit

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Pankaj Nanhera, Sr. Advocate with
Mr. Pardeep Duhan, Advocate for the petitioner.

Mr. P.K. Jhanda, Sr. DAG, Haryana.

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SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.137 dated 27.03.2025, under Sections 103(1), 191(3), 190 of BNS, registered at Police Station City Ballabgarh, Faridabad, Haryana.

2. Incident took place on 27.03.2025, and complaint was filed by Santosh Kumar regarding the murder of his son-Ritesh Kumar. According to the allegations, Ritesh Kumar was a first-year B.Com student. On the day of the incident, at approximately 12:30 p.m., 10–12 boys gathered, and as soon as accused-Himanshu, arrived at the spot, he began attacking Ritesh Kumar, stabbing him in the chest. A boy present at

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the scene informed the complainant telephonically, upon which the complainant reached the spot and took the injured to the hospital.

3. Learned Senior Counsel argues that, as per the post-mortem report, a single stab injury measuring 2.5 x 0.8 cm was observed on the left side of the chest, and no other injury marks were noticed. Learned Senior counsel contends that petitioner has not been attributed with causing any injury, nor has any specific role been assigned to him. Even in the FIR, petitioner is not named. Furthermore, CCTV footage shows that the petitioner was merely passing through the place of the incident without carrying any weapon. Counsel, therefore, prays for the grant of bail.

4. On the other hand, learned State Counsel contends that petitioner's presence at the spot is established from the CCTV footage. Moreover, according to call detail records, mobile No. 7290057100 of the accused-Himanshu was found to have exchanged multiple calls with the petitioner, Gaurav Pandit (mobile No. 9354614436), before and after the incident. It is, therefore, petitioner's burden to satisfactorily explain his presence at the crucial time of the incident.

5. I have heard Learned Counsel for the parties and perused the paper book and the documents appended thereto.

6. There appears to be no denial by the prosecution that the petitioner was neither armed nor engaged in any overt act at the spot of the incident. On being asked by the Court, it was informed that the incident occurred at about 12:30 p.m. on 27.03.2025, and that

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petitioner had been in telephonic contact with the main accused, Himanshu, approximately two hours prior to the incident. From this, it may be inferred that the petitioner could be involved as a potential conspirator in committing the crime, coupled with the fact that he was present at the scene.

All such aspects require careful examination after considering the complete set of evidence produced by both the prosecution and the defence, including whether the petitioner's presence at the spot was coincidental or if he was accompanying accused-Himanshu with a shared intention to commit the murder of Ritesh Kumar.

To the view point of this Court, in the absence of any substantial reason to continue the detention of the petitioner, his personal liberty should not be unduly curtailed. Petitioner is in custody for a period of last about 11 months, and trial is likely to take considerable time, as the recording of witness statements is yet to commence.

Thus, without expressing any opinion on the merits of the case, 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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, 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



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

8. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

05.03.2026
Rashmi

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