



CRM-M-29509-2026

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

CRM-M-29509-2026

Date of Decision: 27.05.2026

Arun Sarwan @ Vishu

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Shivender Pal, Advocate, for the petitioner.

Mr.Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.242 dated 15.11.2024, registered under Sections 115(2), 333, 109 BNS, 2023 and Sections 25 and 27 of Arms Act, at Police Station City Moga, District Moga.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant, namely, Sonu @ Mogli. It was alleged that on 13.11.2024 at about 11:30 p.m., when he alongwith his brother Barjesh Kumar and other family members were sleeping, then Varinder armed pistol, Sikander armed with pistol, Jagdev Singh @ Joga armed with country made pistol, Dev armed with iron rod, Sunil @ Baba armed with pistol, Sunny Data @ Manjit Singh armed with DBBL gun, Beeshu (petitioner), Anmol, Akash armed with pistol alongwith 10 other unidentified persons came on 3-4 vehicles. They trespassed into their house after jumping over the boundary wall. Thereafter, Sunil @ Baba raised *lalkara* and Sunil Data fired shots from his DBBL gun towards his brother which hit on his abdomen and shoulder. Others also caused injuries to him and his brother, due to which they fell down. On raising alarm, all the assailants escaped from the spot alongwith their respective weapons. The injured were shifted to Civil Hospital, Moga from where they were referred



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to Guru Gobind Singh Medial College and Hospital, Faridkot. Thus, request for taking legal action against all the accused. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 11.11.2025. The petitioner approached the Court of learned Additional Sessions Judge, Moga praying for grant of regular bail. However, after hearing both the sides, learned Court finding no merit in the same, dismissed the bail application filed by the petitioner vide order dated 03.12.2025. Earlier the petitioner approached this Court by way of filing CRM-M-71182-2025 and CRM-10458-2026, however, the same were dismissed as withdrawn vide orders dated 22.12.2025 and 27.02.2026, respectively. Hence, the petitioner has again approached this Court praying for grant of bail by way of filing the present third petition.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Sunil Kumar @ Baba. He has drawn the attention of this Court to a common order dated 13.03.2026 passed in **CRM-M-43441-2025**, whereby, co-accused Sunil Kumar @ Baba, has been granted regular bail by this Court. He submits that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who has already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Sunil Kumar @ Baba. He has placed on record the custody certificate of the petitioner.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in this case on



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11.11.2025. Co-accused, namely, Sunil Kumar @ Baba is stated to be on regular bail and case of the petitioner is at par with that of the co-accused. Custody certificate of the petitioner shows that the petitioner has suffered incarceration of 06 months & 14 days as on 26.05.2026. It further reflects that the petitioner is facing prosecution in eight other cases, however, he is on bail in three cases and in three cases he has been acquitted.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner on the basis of parity.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

26.05.2026
sharmila

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No