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(112)

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

CRM-M-66328-2025

Date of Decision: 18.03.2026

SUMIT SABHARWAL

... Petitioner

Versus**STATE OF PUNJAB**

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDIPresent: Mr. Raminder Singh Dhaliwal, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case bearing FIR No.88 dated 08.07.2024 (Annexure P-1) registered under Sections 109, 3(5), 61(2) of BNS, 2023 and Sections 25/27 of Arms Act at Police Station Dugri, Ludhiana.

2. The present FIR came to be registered at the instance of Lal Chand alias Gopi S/o Bara Singh and the same reads as under:-

“Statement of Lal Chand Alias Gopi son of Bara Singh resident of house number 921, Street number 24, phase 3, near Pardesi motor, Shaheed Karnail Singh Nagar, Ludhiana. Aged about 26 years mobile number 9814188473 states that I am resident of above mentioned address and work as gym instructor at elite fitness Pakhowal. On 07.07.2024, Sunday as it was a off day from gym and I do all my household work on this day only. At about 10 PM after having my dinner and returned home after walking my dog and at about 11:48 PM, I was walking in the courtyard of my



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house, then one motorcycle of black colour ridden by three unknown people who had covered their faces with the cloth of blue colour and the person who was sitting behind was armed with one pistol in his right hand and was making video with left hand with his mobile, stopped outside my house and after seeing me in the courtyard of my house, they fired three times with the intention of killing me. Fires hit the gate of my house. After that, I went to the roof of my house and the above mentioned three persons had left. After that, I gave the information to police and started watching CCTV footage at my house. Today, also, I am in possession of CCTV footage, and I can present the same if need be. I am sure that above mentioned attack was done by Sagar Newton, son of Jassa, resident of LIG flat phase 3, Dugri Ludhiana along with his friends. Reason for the above mentioned revenge is that on the intervening night of 06/07.04.2024, Sagar Newton and his friends in connivance with each other attacked my family, and after that FIR No. 35 dated 07.04.2024, under section 307, 324, 452, 427, 148 and 149 of IPC was registered at police Station Dugri, Ludhiana. Sagar Newton got live on his Instagram account and threatened to kill me and my family. Today, I along with my family was going to police station to submit this information then you met me on my way. I am completely sure that Sagar Newton son of Jassa resident of LIG flat, phase 3, Dugri Ludhiana, and three unknown people known to him fired upon me with the intention to kill me. Necessary action should be taken against them and my statement has been recorded. It is heard and it is correct. SD/-”

3. The learned counsel for the petitioner contends that Mahi Gill and Abhay Adiya alias Mathi who are similarly situated co-accused of the petitioner have been granted the concession of bail by this Court vide orders dated 29.11.2024 (Annexure P-2) & 18.08.2025 (Annexure P-3). As the

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petitioner is in custody since 06.08.2025 but none of the 15 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, the petitioner is entitled to the concession of bail.

4. On the other hand, the learned counsel for the State contends that the allegations levelled against the petitioner and his co-accused are grave. Therefore, he is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 06.08.2025 but none of the 15 prosecution witnesses has been examined so far and that two co-accused namely, Mahi Gill and Abhay Adiya alias Mathi have been granted the concession of bail vide orders dated 29.11.2024 (Annexure P-2) & 18.08.2025 (Annexure P-3).

5. I have heard the learned counsel for the parties.

6. The culpability, if any of the petitioner shall be examined during the course of the Trial. Admittedly, the petitioner is in custody since 06.08.2025 but none of the 15 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required moreso when two co-accused namely, Mahi Gill and Abhay Adiya alias Mathi have been granted the concession of bail vide orders dated 29.11.2024 & 18.08.2025 (Annexure P-2 & P-3)

7. Thus without commenting on the merits of the case, the present petition is allowed and petitioner-Sumit Sabharwal S/o Surtee Ram is ordered

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to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. If the appellant or his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this order.

9. In addition the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

18.03.2026

JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No