

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-42503-2025  
Reserved on: 13.08.2025  
Pronounced on: 21.08.2025

Kavish Arora

...Petitioner

Versus

State of Punjab and others

...Respondent

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Randeep Singh Waraich (Rana) Advocate  
for the petitioner.

Mr. Jasdev Singh Thind, DAG, Punjab.

Ms. Jyoti Kaur, Advocate for  
Mr. M.S. Rana, Advocate  
for respondents No.2 and 3.

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**ANOOP CHITKARA, J.**

FIR No.	Dated	Police Station	Sections
106	12.07.2023	Division No. 2, Ludhiana	307 IPC and 25, 27 of Arms Act

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. As per paragraph 8 of the bail petition, the petitioner has no criminal antecedents.
3. The facts and allegations are being taken from the translated copy of FIR annexed with the bail petition as Annexure P-1 filed by the State, which reads as follows:

*“Stated that I am resident of above said address. We are three brothers. My middle brother Anil Rajput educated upto BCA. Kavish and Manish are friend of my brother who along with other partners jointly taken R.B. Plaza Hotel at Gurudwara Kalghidhar Road on lease. My brother Anil Rajput usually accompanied them. On 11.07.2023, Kavish, Manish and my brother Anil Rajput were sitting in the hotel room at Hotel R.B. Plaza where some altercation had taken place between them on account of which Kavish opened fired arm on my brother Anil Rajput and the bullet hit to the stomach of my brother and my brother fallen down. Kavish ran away from the spot along with his pistol. Manish and hotel manager Dalip Singh s/o Jaswinder Singh r/o village Dodhar, Distt. Moga were present at the spot who took my brother Anil Rajput at CMC Hospital, Ludhiana for treatment where my brother is under treatment. Legal action be taken against Kavish.”*

4. The petitioner's counsel submits that the matter stands compromised with all the

victims.

5. The victims' counsel also admits the factum of compromise and states that they have no objection to the petitioner's bail and affidavit qua the factum of compromise is already on record.

6. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

7. The petitioner's counsel submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

8. The State's counsel opposes bail on instructions.

**REASONING:**

9. As per paragraph 9 of the bail petition, the petitioner has been in custody since 29.08.2024. As per the custody certificate dated 11.08.2025, the petitioner's total custody in this FIR is 11 months and 10 days.

10. Because of no objection to the bail by the victim(s), this Court is inclined to grant bail with clarification that this bail on compromise shall not amount to the acceptance of compromise by the prosecution or the Court.

11. Given the compromise, the penal provisions invoked vis-à-vis pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

12. The petitioner's bail shall not be treated as a precedent for granting bail to other co-accused, if any.

13. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

14. Given the above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above, subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned

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Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

15. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

16. This order is subject to the petitioner’s complying with the following terms.

17. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the Court.

18. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

19. In *Amit Rana v. State of Haryana*, CRM-18469-2025 [Decided on 05.08.2025], in CRA-D-123-2020], a Division Bench of Punjab and Haryana High Court in paragraph 13, holds that “To ensure that every person in judicial custody who has been granted bail or whose sentence has been suspended gets back their liberty without any delay, it is appropriate that whenever the bail order or the orders of suspension of sentence are not immediately sent by the Registry, computer systems, or Public Prosecutor, then in such a situation, to facilitate the immediate restoration of the liberty granted by any Court, the downloaded copies of all such orders, subject to verification, must be accepted by the Court before whom the bail bonds are furnished.”

20. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

**(ANOOP CHITKARA)  
JUDGE**

**21.08.2025**  
Jyoti-II

Whether speaking/reasoned: Yes  
Whether reportable: No.