

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**Cr. MPs (M) No. 351, 352 & 353/2023**  
**Decided on: 28.02.2023**

**(1) Cr. MP(M) No. 351/2023**

Raghubir Singh ....Petitioner

Versus

State of Himachal Pradesh ...Respondent

**(2) Cr. MP(M) No. 352/2023**

Kalyan Singh ....Petitioner

Versus

State of Himachal Pradesh ...Respondent

**(3) Cr. MP(M) No. 353/2023**

Kapil Rana ....Petitioner

Versus

State of Himachal Pradesh ...Respondent

*Coram*

**The Hon'ble Mr. Justice Sushil Kukreja, Judge.**

Whether approved for reporting?<sup>1</sup>

For the petitioner(s) : Mr. Sahil Malhotra, Advocate.

For the respondent : Mr. B.C. Verma, Addl. AG with  
 Mr. R.P. Singh, Dy. AG.

<sup>1</sup> Whether reporters of Local Papers may be allowed to see the judgment? Yes.

**Sushil Kukreja, Judge** (oral)

Fresh status report stands filed.

2. A perusal of the status report reveals that the investigation in the present case is almost complete and nothing remains to be recovered from the petitioners.

3. It is not in dispute that the petitioners have been joining the investigation as and when called by the Investigating Officer.

4. The learned Additional Advocate General, on instructions from Head Constable Rajesh Kumar, No. 450, Police Station Paonta Sahib, District Sirmaur, H.P., has submitted that custodial interrogation of the petitioners is not required and no recovery is to be effected from them. Furthermore, there is no evidence on record to suggest that the petitioners will tamper with the prosecution evidence, if released on bail and there is also nothing on record to suggest that the petitioners will abscond and flee from justice, if enlarged on bail.

5. Therefore, in view of the facts and circumstances of the case and since the investigation in

the case is complete and nothing remains to be recovered from the petitioners, coupled with the fact that their custodial interrogation is not required, the petitioners deserve to be released on bail in case F.I.R. No. 17/2023, dated 08.02.2023, under Sections 341, 323, 504, 506 & 34 of IPC and Section 3(1) (r) (s) of SC & ST Act, registered at Police Station Shillai, District Sirmaur, H.P. Accordingly, bail applications are allowed and the interim order dated 14.02.2023, is made absolute, subject to the following conditions:-

- (i) That the petitioners will appear before the Court and the Investigating Officer whenever required;*
- (ii) That they will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing any facts to the Court or the police;*
- (iii) That they will not tamper with the prosecution evidence nor they will try to win over the prosecution witnesses in any manner;*
- (iv) That the petitioners will not leave India without prior permission of the Court.*

6. Needless to say that the Investigating agency shall be at liberty to move this Court for cancellation of the

bail, if any of the aforesaid conditions is violated by the petitioners.

**February 28, 2023**  
(raman)

**( Sushil Kukreja )**  
**Judge**