IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr. MP (M) Nos. 60, 61, 62, 63, 64, 65 of 2026
Date of Decision: 28.02.2026

1.Cr. MP (M) No. 60 of 2026
Charan Dass ...Petitioner
Versus
State of Himachal Pradesh …Respondent

2.Cr. MP (M) No. 61 of 2026
Abhimanyu ...Petitioner
Versus
State of Himachal Pradesh …Respondent

3.Cr. MP (M) No. 62 of 2026
Kamal Singh ...Petitioner
Versus
State of Himachal Pradesh …Respondent

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4. Cr. MP (M) No. 63 of 2026
Amaan ...Petitioner
Versus
State of Himachal Pradesh …Respondent

5.Cr. MP (M) No. 64 of 2026
Harpreet Singh ...Petitioner
Versus
State of Himachal Pradesh …Respondent

6.Cr. MP (M) No. 65 of 2026
Abhishek Chaudhary ...Petitioner
Versus
State of Himachal Pradesh …Respondent

Coram:
The Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?[1]

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[1] Whether reporters of the local papers may be allowed to see the judgment?

For the Petitioner(s) : Mr. Yug Singhal, Advocate

For the Respondent(s): Mr.Rajan Kahol, Mr. Vishal Panwar Additional Advocate Generals and Mr. Ravi Chauhan and Mr. Anish Banstu, Deputy Advocates Generals.

Sandeep Sharma, J. (Oral)

Since, all the above bail petitions arise from same FIR i.e. FIR No.157 of 2025 dated 28.06.2025 registered at P.S. Baddi, District Solan, H.P Under Sections 191 (2), 191(3), 190 , 351(2), 118 (1) and 118 (2) of the BNS 2023, same are being disposed of vide common order.

2. Sequel to order dated 07.01.2026, passed by this Court in all the bail petitions, whereby the bail petitioners were ordered to be enlarged on interim bail subject to their joining investigation, respondent/State has filed a common status report in all the cases, perusal whereof, reveals that FIR detailed hereinabove, came to be lodged at the behest of complainant namely Keshav, who alleged that on 26.06.2025 at 6:00 pm, while he was going to his house in the car of his friend namely Adarsh, person namely Charanjeet Chaudhary along with his friends met him on the way. He alleged that some altercation took place inter se him and Charanjeet and thereafter petitioner Charanjeet Chaudhary along with others gave merciless beatings

to him as well as his friend Adarsh, as a result thereof, they suffered multiple injuries.

3. Mr. Yug Singhal, learned Counsel representing petitioner states that pursuant to order dated 07.01.2026 all the bail petitioners have joined investigation and nothing remains to be recovered from them and as such interim bail dated 07.01.2026 deserves to be made absolute. He further states that otherwise also parties resolved to settle their matter amicably inter se them by way of compromise and with a view to get the FIR in question quashed and set aside, bail petitioners along with complainant have already filed Cr.MMO. No. 884 of 2025 under Section 528 of BNSS in this Court for quashing of FIR.

4. While fairly acknowledging factum of joining investigation by petitioners in terms of order dated 07.01.2026, Mr. Vishal Panwar, learned Additional Advocate General states that though nothing remains to be recovered from the bail petitioners but keeping in view the gravity of the offence alleged to have been committed by them, interim bail granted to them in terms of order dated 07.01.2026 cannot be made absolute. However, he fairly admitted that in terms of compromise arrived inter se parties coupled with the fact that petitioner along with complainant named above, have already filed a petition for quashing FIR on the basis

of compromise in this Court, chances of conviction of the petitioners are very remote and bleak.

5. Hon’ble Apex Court and this Court in catena of cases have held that one is deem to be innocent till the time his/her guilt is not proved in accordance with law. In the case at hand, guilt if any, of the petitioners is yet to be established on record by the investigating agency by leading cogent and convincing evidence and as such, their freedom cannot be curtailed for an indefinite period during trial. Apprehension expressed by learned Additional Advocate General that in the event of bail petitioners being enlarged on bail, they may flee from justice or may again indulge in such activities again, can be best met by putting bail petitioners to stringent conditions.

6. Hon'ble Apex Court in Criminal Appeal No. 227/2018, **Dataram Singh** vs. **State of Uttar Pradesh & Anr** decided on 6.2.2018 has held that freedom of an individual cannot be curtailed for indefinite period, especially when his/her guilt is yet to be proved. It has been further held by the Hon'ble Apex Court in the aforesaid judgment that a person is believed to be innocent until found guilty.

7. Hon’ble Apex Court in **Sanjay Chandra** versus **Central Bureau of Investigation** (2012)1 Supreme Court Cases 49 has held that gravity alone cannot be a decisive ground to deny

bail, rather competing factors are required to be balanced by the court while exercising its discretion. It has been repeatedly held by the Hon'ble Apex Court that object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative.

8. In **Manoranjana Sinh alias Gupta** versus **CBI**, (2017) 5 SCC 218, Hon'ble Apex Court has held that the object of the bail is to secure the attendance of the accused in the trial and the proper test to be applied in the solution of the question whether bail should be granted or refused is whether it is probable that the party will appear to take his trial. Otherwise also, normal rule is of bail and not jail. Apart from above, Court has to keep in mind nature of accusations, nature of evidence in support thereof, severity of the punishment, which conviction will entail, character of the accused, circumstances which are peculiar to the accused involved in that crime.

9. The Apex Court in **Prasanta Kumar Sarkar** versus **Ashis Chatterjee and another** (2010) 14 SCC 496, has laid down various principles to be kept in mind, while deciding petition for bail viz. prima facie case, nature and gravity of accusation, punishment involved, apprehension of repetition of offence and witnesses being influenced.

10. Consequently, in view of the above, orders dated 07.01.2026 passed by this Court in all these petitions are made absolute subject to petitioners' furnishing bail bonds in the sum of Rs.1.00 Lakh each with two local sureties in the like amount each, to the satisfaction of the learned trial Court, besides the following conditions:

(a) They shall make themselves available for the purpose of interrogation, if so required and regularly attend the trial Court on each and every date of hearing and if prevented by any reason to do so, seek exemption from appearance by filing appropriate application;

(b) They shall not tamper with the prosecution evidence nor hamper the investigation of the case in any manner whatsoever;

(c) They shall not make any inducement, threat or promises to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or the Police Officer; and

(d) They shall not leave the territory of India without the prior permission of the Court.

11. It is clarified that if the petitioners misuse the liberty or violate any of the conditions imposed upon them, the investigating agency shall be free to move this Court for cancellation of the bail.

12. Any observations made hereinabove shall not be construed to be a reflection on the merits of the case and shall remain confined to the disposal of these petitions alone. The petitions stand accordingly disposed of.

13. A downloaded copy of this order shall be accepted by the learned trial Court, while accepting the bail bonds from the

petitioners and in case, said court intends to ascertain the veracity of the downloaded copy of order presented to it, same may be ascertained from the official website of this Court.

(Sandeep Sharma)
Judge

February 28, 2026.
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