

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

COPC No.1081 of 2025

Decided on: 31st December, 2025

Jasvir Singh Hans

.....**Petitioner**

Versus

Shri Prabodh Saxena and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Dr. Rajesh Kumar Parmar (through
video conference) and Mr. Gaurav
Thakur, Advocates.

For the Respondents: Mr. Vishwadeep Sharma, Additional
Advocate General.

Jyotsna Rewal Dua, Judge

Petitioner alleges violation of **Jasvir Singh**

Hans Versus State of HP & Ors.².

2. Heard learned counsel for the parties and
considered the case file.

3. *Jasvir Singh Hans*² was disposed of as under:-

“5. Though, Sh. Rajesh Kumar Parmar, learned counsel for the petitioner alleged that FIR was lodged after the intervention of the office of Hon'ble Chief Minister of Himachal Pradesh and even thereafter accused have been not arrested, but, since FIR already has been registered under Sections 365, 356, 323 and 31 of

¹ Whether reporters of print and electronic media may be allowed to see the order? Yes

² CWP No.1752 of 2024, decided on 07.03.2024

Indian Penal Code, this Court is not persuaded to agree with learned counsel for petitioner that no action is being taken by the police. Needless to say, steps, if any, for arrest of the accused can only be taken by the police after being satisfied that prima-facie case, if any, exists against the accused named in the FIR. Admittedly, as of today, police is conducting investigation pursuant to the complaint, which otherwise stand converted into FIR and as such, there is no occasion for this Court to intervene or direct the Police to conduct investigation in a particular manner. Leaving everything aside, it has been fairly stated by learned Additional Advocate General, that prayer, if any, made by the petitioner for providing adequate security shall be considered by the authorities, taking note of threat perception, if any, to his life.

6. *Consequently, in view of above, present petition is disposed of with a direction to the petitioner to approach Superintendent of Police, Sirmour at Nahan for redressal of his grievance, who after taking note of threat perception, if any, to the life of petitioner shall consider his request for providing adequate security. Needless to say, police without being influenced by pressure, if any, brought by accused, shall conduct the investigation in most free and fair manner."*

The only substantive direction issued in *Jasvir Singh Hans*² was to the petitioner to approach the Superintendent of Police, Sirmour at Nahan for redressal of his grievance, with further direction to the said Superintendent of Police to take note of threat perception, if any, to the life of the petitioner and thereafter to consider his request for providing adequate security. The Police was to conduct investigation in free and fair manner without being influenced by pressure, if any, brought by the accused.

4. Respondents have filed reply to the contempt petition on the affidavit of Superintendent of Police, Sirmour at Nahan. In terms of the reply:-

- Medical examination of the petitioner was conducted; Site plan and photographs were prepared; CCTV footage was examined; Statements of witnesses under Section 161 of the Criminal Procedure Code were recorded and vehicle used in the alleged incident was seized.
- Final report stood prepared after joining of accused persons in the investigation. The same is in the process of being presented before the competent Court of Law.

At this stage, learned Additional Advocate General submits that final report has already been put up before the competent Court of jurisdiction.

- Petitioner's allegations of accused persons roaming freely and threatening the petitioner & his family members is vague & incorrect and also not supported by any material/evidence. Petitioner has the remedy to approach the concerned Police Station, but the petitioner has not filed any such complaint. Had the petitioner filed any complaint, appropriate action in accordance with law would have been taken.
- Eight accused persons have been bound down/notified under Section 41A Cr.P.C./Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita after due inquiry.

5. The submissions made on facts in the reply have not been controverted by the petitioner. Taking note of

the directions issued in *Jasvir Singh Hans*² and the reply filed by the respondents to the present contempt petition, it is apparent that the directions have not been violated by the respondents. No contempt is, thus, made out. Hence, the present contempt petition is dismissed alongwith pending miscellaneous application(s), if any.

December 31, 2025
Mukesh

Jyotsna Rewal Dua
Judge