

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.13125 of 2026
Date of Decision: 3.9.2026

Vanmala Sharma

.....Petitioner

Versus

State of Himachal Pradesh and Ors.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?

For the Petitioner: Mr. Harish Kumar, Advocate vice Mr. Jagat Pal, Advocate.

For the Respondent: Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General and Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for respondents No. 1 to 3.
Mr. Arvind Sharma, Senior Advocate with Mr. Digvijay Singh Thakur, Advocate, for respondent No.4.

Sandeep Sharma, J. *(Oral)*

By way of instant petition, petitioner has prayed for following main reliefs:

- “i. Issue an appropriate writ, order or direction directing respondent Nos. 1 to 3 to complete the investigation in FIR No. 52 dated 09.08.2023, Police Station Jubbal, District Shimla, H.P., and file the final police report/challan before the competent Court within a time-bound period.
- ii. Issue an appropriate writ, order or direction directing respondent Nos. 3 and 4 to take all necessary steps for release and restoration of the petitioner's amount of Rs.28,64,000/-, lying frozen in the account of respondent No.5, to the petitioner's bank account, subject

to the outcome of the criminal proceedings and in accordance with law.

iii. Issue an appropriate writ, order or direction directing respondent No.4 Bank to conduct a departmental inquiry into the role of its concerned officials regarding the alleged leakage of confidential banking information and the processing of the disputed cheque No.893931 dated 01.07.2023, and to take appropriate action against the erring officials, if found guilty.

iv. Award interest on the amount of Rs.28,64,000/- from the date of its unauthorized debit till the date of actual restoration to the petitioner.”

2. Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by Mr. Harish Kumar, Advocate, is that investigation in FIR No. 52/2023, dated 8.8.2023, registered at Police Station Jubbal, District Shimla, H.P., under Sections 420, 465, 467, 468 and 471 of IPC, is not being completed, as a result thereof, the petitioner, who has been duped and cheated by respondent No.5, is under great distress.

3. Having taken note of aforesaid grouse of the petitioner, this Court called upon respondent-State to file status report, which stands filed under the signature of Sr. Superintendent of Police, Shimla, District Shimla, which reads as under:

*"OFFICE OF THE SUPERINTENDENT OF POLICE,
"SHIMLA, DISTRICT SHIMLA, H.P.
No. R/Law/26-67686 Dated: 02.09.2026

To

The Ld. Advocate General,
State of Himachal Pradesh, Shimla-02.

Subject:- CWP No. 13125 of 2026 – Vanmala Sharma Vs. State of HP & Others.

Sir,

With due deference, on the subject cited above, it is most humbly submitted that the present Civil Writ Petition has been preferred by the petitioner Smt. Vanmala Sharma in connection with FIR No. 52/2023 dated 08.08.2023, registered under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code at Police Station Jubbal, District Shimla, against respondent No. 5, Shri Bal Krishan Rawat. The factual status of the investigation is most respectfully submitted hereunder for kind perusal:

1. That on the complaint of the petitioner, FIR No. 52/2023 dated 08.08.2023 was registered under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code at Police Station Jubbal, District Shimla, against respondent No. 5, Shri Bal Krishan Rawat. During the course of investigation, Statements of the complainant and the guarantor/witness Shri Anil Prasad were recorded under Section 161 of the Code of Criminal Procedure and Bank records and the relevant cheques were promptly obtained from the State Bank of India, Sawra/Saraswati Nagar, Jubbal, District Shimla.
2. That during the course of investigation, it was found that an amount of Rs.28,64,000/- was transferred from the petitioner's Account No. 11538697338 to the account of respondent No. 5 (Account No. 11538667494) on 12.07.2023 against cheque No. 893931. While the petitioner has claimed that the said cheque was a blank cheque, respondent No. 5 has contended that the same pertained to prior financial transactions and has produced a ledger book as well as a pen drive containing a video recording of the monetary conversation, both of which were duly taken into possession vide seizure memo.
3. That in furtherance of a thorough and fair investigation, the questioned cheque No. 893931, other admitted cheques (Nos. 893923, 893930 and 893933), the ledger book, admitted handwriting/signatures, specimen handwriting/signatures and thumb impressions of both parties were sent to the State Forensic Science Laboratory, Junga, for expert opinion.
4. That it is submitted that, vide Order No. 59909-911 dated 30.07.2026 issued from the this office, the investigation of the case was entrusted to Shri Pranav Chauhan (HPPS), Sub-Divisional Police Officer, Rohru, District Shimla, with a view to ensuring expeditious and effective progress.
5. That it is submitted that the investigation remained pending solely for want of the SFSL opinion on the genuineness of the

signature on the disputed cheque No. 893931, which is central to the alleged offences under Sections 467, 468 and 471 IPC. The complete reference, including specimen handwriting and signatures of the petitioner and respondent No. 5, were sent on 30.08.2025. However, the final SFSL report was received by the Investigating Officer only on 01.09.2026, after giving many reminders to SFSL Junga. In these circumstances, the final report in the present FIR could not be prepared, and consequently, an appropriate reply to the present petition could not be filed before the Hon'ble Court within the stipulated time.

6. That it is further submitted that after receiving the report of the SFSL, certain material aspects still require further investigation to ensure a complete and fair investigation of the case. Accordingly, a reasonable period of time is respectfully is required to complete the remaining investigation and to file the final report in the learned Trial Court after due scrutiny by the Prosecution.

In view of the foregoing submissions, it is respectfully requested that the Hon'ble Court may kindly be apprised of the above factual position and accordingly, six weeks' time may kindly be prayed from the Hon'ble Court for filing reply to the instant petition please.

Yours sincerely,
Sr. Superintendent of Police,
Shimla, District Shimla,
H.P.”

4. Careful perusal of the aforesaid communication clearly reveals that the police has almost completed the investigation, but has not been able to submit the challan in the competent court of law for want of the report from the SFSL, which has now been received by the Investigating Officer on 01.09.2026.

5. Learned Additional Advocate General states that after receipt of the aforesaid report, the investigating agency, taking note of the material

adduced on record during investigation, shall proceed to file the final report in the learned trial Court after due scrutiny by the prosecution.

6. Consequently, in view of the above, nothing remains to be adjudicated in the instant petition and the same is disposed of with a direction to the Sr. Superintendent of Police, Shimla, District Shimla, to ensure that the final report in the FIR detailed herein above is filed in the competent court of law expeditiously, preferably within a period of six weeks. Pending applications, if any, also stand disposed of accordingly.

September 3, 2026

(manjit)

**(Sandeep Sharma),
Judge**