2026:HHC:13790

IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

Cr.MP(M) No.637 of 2026

Decided on: 27th April, 2026

Vikram Kumar **....Petitioner**

Versus

State of Himachal Pradesh **...Respondent**

Coram
Hon'ble Mr. Justice Jiya Lal Bhardwaj, Judge
Whether approved for reporting?[1]

For the petitioner: Mr. Rakesh Chauhan, Advocate.

For the respondent: Mr. Sumit Sharma, Deputy Advocate General, assisted by H.C. Nirmal Singh, No.46, I.O. P.S. Nalagarh, District, Solan, H.P.

Jiya Lal Bhardwaj, Judge *(Oral)*

Status report filed and same is taken on record.

2. By way of present petition, the petitioner has prayed for grant of pre-arrest bail in FIR No.107/2026 dated 05.04.2026, under Section 303(2) of Bharatiya Nyaya Sanhita 2023, registered at Police Station, Nalagarh, District

[1] *Whether reporters of Local Papers may be allowed to see the judgment?*

Solan, H.P.

3. In view of the order dated 20.04.2026, passed by this Court, the petitioner has joined the investigation.

4. The bail application filed by the petitioner was rejected by the Additional Sessions Judge, Nalagarh, District Solan, H.P., on the ground that the petitioner is also involved in another case of theft in FIR No.303 dated 18.09.2025. The allegations in the FIR as levelled by the complainant are that he has suspicion that the petitioner might have stolen his buffaloes and on that basis, the FIR was lodged against him.

5. It has not been denied by the Investigating Officer, who is present in person, that the petitioner had joined the investigation after the directions given by this Court. The only plea for rejection of the bail is that the recovery of the buffaloes is yet to be made. Merely on the plea that the buffaloes have not been recovered, the application for bail filed by the petitioner cannot be rejected

as per the settled law that the normal rule is to grant bail and jail is an exception.

6. Keeping in view the above facts, the present petition filed by the petitioner for anticipatory bail is allowed, subject to the following conditions:-

i) The petitioner shall furnish personal bond in the sum of Rs.50,000/- along with one surety in the like amount, to the satisfaction of the Investigating Officer.

ii) That the petitioner will join the investigation as and when directed by the Investigating Officer.

iii) That the petitioner will not dissuade any of the witnesses and fully co-operate in the investigation.

iv) The petitioner shall not leave the territory of India without the prior permission of this Court.

7. Any of the observations made hereinabove shall not be taken as an expression of opinion, on the merits of the case, as these are confined only to the disposal of the present application.

27th April, 2026 **(Jiya Lal Bhardwaj)**
(ankit) **Judge**