IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
Cr.MP(M) No.1853 of 2026
Decided on 30th October, 2026

Vijay Kumar alias Sonu

…Petitioner

Versus

State of Himachal Pradesh

…Respondent

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

[1]Whether approved for reporting?

For the petitioner:	**Mr. Rakesh Kumar, Advocate.**
For the respondent:	**Mr. Pushinder Jaswal, Additional Advocate General.** **ASI Rajeev Kumar, PS Una, District Una, H.P. is present in person alongwith record.**

Ajay Mohan Goel, Judge *(Oral)*

Learned Additional Advocate General submits that in the ongoing trial before the learned Court below, out of five eye witnesses, statements of two eye witnesses have been recorded and the statements of the three eyes witnesses are yet to be recorded.

2. The petitioner herein has approached this Court, praying for grant of bail in FIR No.88 of 2021, registered against him under Section 392, 397, 452, 465, 468, 471, 485,

216-A, 120-B & 34 of the Indian Penal Code.

3. The earlier petition filed by the petitioner was dismissed by the Court on merit on 04.09.2024, in terms of Annexure P-4.

4. Thereafter, the petitioner approached the Hon'ble Supreme Court of India and in the petition filed by the petitioner, Hon'ble Supreme Court of India on 09.12.2024, was pleased to pass the following order:-

> *"Heard the learned counsel appearing for the petitioner. Looking to the antecedents of the petitioner, at this stage, the case of the petitioner for grant of bail cannot be considered. However, the petitioner may renew his request for grant of bail after all eyewitnesses are examined.*
>
> *Subject to what is observed above, the Special Leave Petition is dismissed."*

5. Thereafter, the petitioner again filed a petition before this Court, which was disposed of by this Court vide order dated 09.03.2026 (Annexure P-6), which order read as under:-

> "*By way of this petition, the petitioner has prayed for grant of bail in case FIR No. 88/2021, dated 15.03.2021, under Section 392, 397, 452, 465, 468, 471, 485, 216-A, 120-B of the Indian Penal Code, registered at Police Station Sadar Una, District Una,*

Himachal Pradesh.

2. Learned counsel for the petitioner has referred to Annexure P-5 and submitted that the petitioner had approached the Hon'ble Supreme Court of India and the Hon'ble Supreme Court though has been pleased not to grant bail to the petitioner in terms of order dated 09.12.2024, but it was observed by the Hon'ble Supreme Court that the petitioner may renew his request for grant of bail after all eye witnesses are examined. He submitted that at this stage, interest of justice would be served, in case, an observation is made that the learned Trial Court may make an endeavour to examine the eye witnesses, as expeditiously as possible.

3. In light of the request so made by learned counsel for the petitioner, though this Court is not granting bail to the petitioner at this stage, but the same is closed with the observation that endeavour shall be made by the learned Trial Court to examine all the eye witnesses as expeditiously as possible."

6. Thereafter, the petitioner again approached the Hon'ble Supreme Court of India and his petition was dismissed as withdrawn by the Hon'ble Supreme Court of India, vide order dated 27.05.2026 (Annexure P-7). The order passed by the Hon'ble Supreme Court of India in the said petition filed by the

petitioner is quoted hereinbelow:-

> "Upon hearing the counsel the Court made the following
>
> O R D E R
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> 1. After submissions at length, learned counsel for the petitioner prays to withdraw this petition.
> 2. The special leave petition is dismissed as withdrawn."

7. This Court is of the considered view that as the order passed by the Hon'ble Supreme Court, dated 27.05.2026, is suggestive of the fact that the learned counsel for the petitioner withdrew the said petition preferred before the Hon'ble Supreme Court of India after making submissions, which obviously means that the submissions did not find any favour with the Hon'ble Apex Court of India, this petition is not maintainable. At this stage, learned Counsel for the petitioner prays that petitioner be permitted to withdraw the petition. The petition is dismissed as withdrawn, so also pending miscellaneous applications, if any.

(Ajay Mohan Goel)
Judge

October 30, 2026
(Vinod)