Rajinder Rana vs. State of Himachal Pradesh

Cr.MP No.4651 of 2026 in
Cr.MP (M) No.1835 of 2024

03.11.2026 Present Mr. Rajesh Mandhotra, Advocate, for the applicant/ petitioner.

Mr. Rajan Kahol, Additional Advocate General with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the respondent/State.

By way of instant application filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, prayer has been made on behalf of the applicant/ petitioner to travel abroad during the pendency of investigation arising out of FIR No. 40 of 2024, dated 10.03.2024, under Sections 120-B, 171-A, 171-C of IPC read with Section 7 and 8 of the Prevention of Corruption Act, registered at Police Station, Boileauganj, District Shimla, Himachal Pradesh.

It is averred in the application, which is duly supported by an affidavit that applicant/petitioner, who is an ex-MLA, intends to go to Czech Republic for sightseeing for 15 days with effect from 11.11.2026 till 25.11.2026, alongwith family.

Pursuant to notice issued in the instant proceedings, respondent-State has filed reply. Status report filed under the signatures of Station House Officer, Police Station West, Shimla, District Shimla, H.P., wherein prayer made on behalf of applicant/petitioner has been opposed on the ground that he is involved in a heinous crime having adverse impact on the

society. It is averred in the reply that since applicant/petitioner has not cooperated during investigation, investigating agency has not been able to file charge sheet and there is every likelihood of applicant/petitioner fleeing from justice.

Having heard learned counsel for the parties and perused the record, this Court finds that applicant/petitioner is an ex-MLA, having sufficient property situated in Himachal Pradesh. FIR was registered against him on 02.08.2024 wherein he was enlarged on bail. While granting anticipatory bail, this Court imposed a condition that applicant/petitioner shall not leave the country without prior permission of the Court, but this Court cannot lose sight of the fact that the investigating agency has not been able to complete investigation for almost two years and there is nothing in the status report suggestive of the fact that applicant/petitioner failed to make himself available during investigation as and when required. Since it is not in dispute that applicant/ petitioner is a respectable person of the society having substantial movable and immovable property situated in the State of Himachal Pradesh, this Court sees no reason to deny permission to him to travel abroad.

Though, details with regard to flight tickets as well as place of stay in Czech Republic have not been mentioned in the application, learned counsel for petitioner states that as and when permission is granted by this Court, applicant/

petitioner after having purchased flight tickets shall not only furnish flight details, but also make available complete address of stay in Czech Republic.

Consequently, in view of the discussion made hereinabove, the present application is allowed and applicant/ petitioner is permitted to visit Czech Republic for 15 days with effect from 11.11.2026 to 25.11.2026, enabling him to spend some time with his family, but permission, as has been granted hereinabove, shall be subject to furnishing flight details as well as place of stay in Czech Republic with the Investigating Officer.

Needless to say, applicant/petitioner shall report to the investigating agency within two days of return at the concerned police station, failing which the investigating agency would be at liberty to take appropriate action in accordance with law. The application stands disposed of.

(Sandeep Sharma)
Judge

November 03, 2026
(shankar)