IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. MP(M) No. 2100 of 2026
Reserved on: 28.10.2026
Decided on: 02.11.2026

Lovedeesh Sidhu @ Lovee .... Petitioner

Versus

State of HP .... Respondent

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting?[1] No

For the Petitioner	:	Mr Rajat Kumar, Advocate.
For the Respondent/State	:	Mr Ajit Sharma, Deputy Advocate General, assisted by HC Gurbax, No.09, IO, PS Haroli, District Una, H.P.

Rakesh Kainthla, Judge

The petitioner has filed the present petition seeking regular bail in FIR No. 277 of 2023 dated 01.11.2023 registered at Police Station Haroli, District Una, H.P. for the commission of offences punishable under Sections 307, 324, 384, 120B, 201 and 212 of the Indian Penal Code (IPC) and Section 25 of the Arms Act.

---

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

2026:HHC:47939

2. It has been asserted that as per the prosecution, the informant Harpreet Singh made a complaint to the police that some unknown persons had shot at him and his car on 01.11.2023. The police registered the FIR bearing No. 277 of 2023 against three persons, out of whom two were identified, and one remained unidentified. The Police arrayed the petitioner as an accused without any cogent evidence linking him to the commission of the crime. The Police have completed the investigation and filed a charge sheet before the Court. The petitioner's custodial interrogation is not required. The police are relying upon the statement made by the co-accused Satinder Pal @ Chindu disclosing that the petitioner had shot at the informant, but the statement is inadmissible. The petitioner has remained in custody for more than 2 years and 11 months. The prosecution has cited 76 witnesses, out of whom the statements of seven witnesses have been recorded. The co-accused have been released on bail, and the petitioner is entitled to bail on the principle of parity. The petitioner would abide by the terms and conditions that the Court may impose. Hence, it was prayed that the present petition be allowed and the petitioner be released on bail.

2026:HHC:47939

3. The police filed a status report stating that the informant Harpreet Singh, Pankaj, Manish and Abhi were sitting in a Dhaba on 31.10.2023. A call was received at 7:35 pm from an unknown number. The caller identified himself as Mani Rana and stated that he required ₹11 lakhs to get out of jail. He demanded ₹1.5-₹2 lakhs from the informant. The informant expressed his inability to pay any money. The caller threatened to get him killed. The call was disconnected.

4. The informant again received a call from the same number, but he did not pick up the call. Sumit disclosed that he had shared the informant's number with Mani Rana and advised him (the informant) to run away. He also called Abhi Chandel, the informant's nephew and asked him to advise the informant to run away. Abhi told this fact to the informant. The informant was going to the Pandoga Police Post to report the matter. When his car reached near the Puri Kitihall at about 9:00 PM, 2-3 shots were fired at the car. The informant noticed two masked persons riding a motorcycle who had shot at his car. Manish disclosed that he had suffered an injury from a gunshot to his finger.

2026:HHC:47939

5. The police registered the FIR and investigated the matter. The police found that Sumit Jaswal and his friend Lakhwinder alias Abhi had absconded; they were in touch with each other and were together on 31.10.2023 at the place of the incident. A Special Investigating Team was constituted to carry out the investigation. The police arrested Lakhwinder Singh, who revealed the involvement of Bansh Raizada. Lakhwinder disclosed that Bansh Raizada had gone with his friend Ayush on his motorcycle to Bulabari Chowk, Hoshiarpur, at the instance of Sumit Jaswal. Ten live cartridges were handed over to them by an unknown person. Bansh Raizada handed over these cartridges to Lakhwinder Singh, who handed them over to Sumit Jaswal. Sumit Jaswal handed over the cartridges to the shooters, who used them to fire at the informant's car.

6. Bansh Raizada had also taken a photograph of the motorcycle and sent it to Sumit Jaswal. The police arrested Bansh Raizada, who disclosed that he had brought the cartridges from Tashu Sidhu from Bulabari Chowk and had handed them over to Lakhwinder Singh. Bansh Raizada also disclosed that he had brought the bike and parked it on the road. He sent the

2026:HHC:47939

photograph to Sumit Jaswal. The shooters were identified as Satinder Pal and Lavdeesh Sidhu (the present petitioner).

7. The shooters had practised and prepared the video of the shooting on their mobiles. The shooters were wearing masks during the incident and could not be identified by the informant. Bansh Raizada made a disclosure statement and identified various places. Lakhwinder Singh also made a disclosure statement and identified some places. Police arrested Sumit Jaswal, who identified the place where the shooter Lavdeesh had practised firing, but no cartridge was recovered from that place. The police arrested Lavdeesh Sandhu, who also disclosed various places. A mobile was recovered at his instance.

8. The police also arrested Tashu Sidhu. Police seized the motorcycle. The police found, after perusing the call details record, that the accused Mani Rana had talked to Sumit Jaswal, Lakhwinder, Ranjot and Akash using a mobile number registered in the name of Manpreet; however, Manpreet could not be traced. Mani Rana had also talked to Lakhwinder. The call details record of Sumit Jaswal showed that he was in touch with Lakhwinder and Bansh Raizada. His location was also found to be at Bulabari

2026:HHC:47939

Chowk, Hoshiarpur. Sumit had also talked to the informant. Sumit Jaswal is the informant's nephew. He had put the informant in touch with Mani Rana. He was in touch with the other accused. He had sent Bansh Raizada to Bulabari Chowk.

9. The mobile phones were sent to RFSL, and the result of the analysis shows that the mobile phone of Sumit had the video of Samnal Chowk. It also had another video showing Lakhwinder and Sumit in a vehicle. They were shooting the video of the cartridges. The report of the RFSL shows that the pistol recovered from the accused was used for firing, and the cartridges could be used for firing from the pistol.

10. The investigation revealed that the Satinder Pal was asked to shoot at some person for ₹50,000/-. He was also asked to take Lavdeesh Sandhu with him. Satinder Pal met Lavdeesh Sandhu, who paid him ₹5,000/-. Both of them went to Saloh. Bansh Raizada met Satinder Pal and Lavdeesh Sandhu. They met Sumit Jaswal and Lakhwinder Singh on the way. Satinder Pal shot at the informant. Manish was injured in the shooting. The motorcycle was recovered at Satinder Pal's instance. The petitioner is the main shooter. He would abscond and intimidate

the witnesses if released on bail. The prosecution has cited 76 witnesses out of whom 8 witnesses have been examined, and the statements of 68 witnesses are yet to be recorded. Hence, the status report.

11. I have heard Mr Rajat Kumar, learned counsel for the petitioner and Mr Ajit Sharma, learned Deputy Advocate General for the respondent-State.

12. Mr Rajat Kumar, learned counsel for the petitioner, submitted that the petitioner is innocent and he was falsely implicated. There is no material to connect him to the commission of the crime. The police have filed the charge sheet before the Court, and no useful purpose would be served by detaining the petitioner in custody. The petitioner would abide by the terms and conditions that the Court may impose. Hence, he prayed that the present petition be allowed and the petitioner be released on bail.

13. Mr Ajit Sharma, learned Deputy Advocate General for the respondent-State, submitted that the petitioner had shot at the informant. He is the main culprit. He would intimidate the

2026:HHC:47939

witnesses in case of his release on bail. Therefore, he prayed that the present petition be dismissed.

14. The parameters for granting bail were considered by the Hon'ble Supreme Court in ***Pinki v. State of U.P., (2025) 7 SCC 314: 2025 SCC OnLine SC 781,*** wherein it was observed at page 380:

> **(*i*) *Broad principles for the grant of bail***
>
> **56.** In ***Gudikantis Narasimhulu v. High Court of A.P., (1978) 1 SCC 240: 1978 SCC (Cri) 115***, Krishna Iyer, J., while elaborating on the content of Article 21 of the Constitution of India in the context of personal liberty of a person under trial, has laid down the key factors that should be considered while granting bail, which are extracted as under: (SCC p. 244, paras 7-9)
>
> > "7. It is thus obvious that the nature of the charge is the vital factor, and the nature of the evidence is also pertinent. The punishment to which the party may be liable, if convicted or a conviction is confirmed, also bears upon the issue.
> >
> > *8. Another relevant factor is whether the course of justice would be thwarted by him who seeks the benignant jurisdiction of the Court to be freed for the time being.* [***Patrick Devlin, "The Criminal Prosecution in England"*** (Oxford University Press, London 1960) p. 75 — Modern Law Review, Vol. 81, Jan. 1968, p. 54.]
> >
> > *9. Thus, the legal principles and practice validate the Court considering the likelihood of the applicant interfering with witnesses for the prosecution or otherwise polluting the process of justice. It is not only traditional but rational, in this context, to enquire into the antecedents of a man who is applying for bail to find whether he has a bad record, particularly a record which suggests that he is likely to commit serious offences while on bail. In regard to habituals, it is part of criminological history that a thoughtless bail order has enabled the bailee to exploit the opportunity to*

inflict further crimes on the members of society. Bail discretion, based on evidence about the criminal record of a defendant, is therefore not an exercise in irrelevance." (emphasis supplied)

57. In ***Prahlad Singh Bhati v. State (NCT of Delhi), (2001) 4 SCC 280: 2001 SCC (Cri) 674***, this Court highlighted various aspects that the courts should keep in mind while dealing with an application seeking bail. The same may be extracted as follows: (SCC pp. 284-85, para 8)

"*8. The jurisdiction to grant bail has to be exercised on the basis of well-settled principles, having regard to the circumstances of each case and not in an arbitrary manner. While granting bail, the court has to keep in mind the nature of accusations, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character, behaviour, means and standing of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public or State and similar other considerations. It has also to be kept in mind that for the purposes of granting the bail the legislature has used the words "reasonable grounds for believing" instead of "the evidence" which means the court dealing with the grant of bail can only satisfy it (sic itself) as to whether there is a genuine case against the accused and that the prosecution will be able to produce prima facie evidence in support of the charge.*" (emphasis supplied)

58. This Court in ***Ram Govind Upadhyay v. Sudarshan Singh, (2002) 3 SCC 598: 2002 SCC (Cri) 688***, speaking through Banerjee, J., emphasised that a court exercising discretion in matters of bail has to undertake the same judiciously. In highlighting that bail should not be granted as a matter of course, bereft of cogent reasoning, this Court observed as follows: (SCC p. 602, para 3)

"*3. Grant of bail, though being a discretionary order, but, however, calls for the exercise of such a discretion in a judicious manner and not as a matter of course. An order for bail bereft of any cogent reason cannot be sustained. Needless*

to record, however, that the grant of bail is dependent upon the contextual facts of the matter being dealt with by the court and facts do always vary from case to case. While the placement of the accused in society, though it may be considered by itself, cannot be a guiding factor in the matter of grant of bail, the same should always be coupled with other circumstances warranting the grant of bail. The nature of the offence is one of the basic considerations for the grant of bail — the more heinous is the crime, the greater is the chance of rejection of the bail, though, however, dependent on the factual matrix of the matter." (emphasis supplied)

59. In ***Kalyan Chandra Sarkar v. Rajesh Ranjan, (2004) 7 SCC 528: 2004 SCC (Cri) 1977***, this Court held that although it is established that a court considering a bail application cannot undertake a detailed examination of evidence and an elaborate discussion on the merits of the case, yet the court is required to indicate the prima facie reasons justifying the grant of bail.

60. In ***Prasanta Kumar Sarkar v. Ashis Chatterjee, (2010) 14 SCC 496: (2011) 3 SCC (Cri) 765***, this Court observed that where a High Court has granted bail mechanically, the said order would suffer from the vice of non-application of mind, rendering it illegal. This Court held as under with regard to the circumstances under which an order granting bail may be set aside. In doing so, the factors which ought to have guided the Court's decision to grant bail have also been detailed as under: (SCC p. 499, para 9)

"*9. ... It is trite that this Court does not, normally, interfere with an order passed by the High Court granting or rejecting bail to the accused. However, it is equally incumbent upon the High Court to exercise its discretion judiciously, cautiously and strictly in compliance with the basic principles laid down in a plethora of decisions of this Court on the point. It is well settled that, among other circumstances, the factors to be borne in mind while considering an application for bail are*:

(*i*) *whether there is any prima facie or reasonable ground to believe that the accused had committed the offence*;

(*ii*) *nature and gravity of the accusation*;

2026:HHC:47939

(*iii*) *severity of the punishment in the event of conviction*;

(*iv*) *danger of the accused absconding or fleeing, if released on bail*;

(*v*) *character, behaviour, means, position and standing of the accused*;

(*vi*) *likelihood of the offence being repeated*;

(*vii*) *reasonable apprehension of the witnesses being influenced; and*

(*viii*) *danger, of course, of justice being thwarted by grant of bail.*" (emphasis supplied)

xxxxxxx

62. One of the judgments of this Court on the aspect of application of mind and requirement of judicious exercise of discretion in arriving at an order granting bail to the accused is ***Brijmani Devi v. Pappu Kumar, (2022) 4 SCC 497 : (2022) 2 SCC (Cri) 170***, wherein a three-Judge Bench of this Court, while setting aside an unreasoned and casual order (***Pappu Kumar v. State of Bihar, 2021 SCC OnLine Pat 2856*** and ***Pappu Singh v. State of Bihar, 2021 SCC OnLine Pat 2857***) of the High Court granting bail to the accused, observed as follows: (***Brijmani Devi v. Pappu Kumar, (2022) 4 SCC 497 : (2022) 2 SCC (Cri) 170]***), SCC p. 511, para 35)

"*35. While we are conscious of the fact that liberty of an individual is an invaluable right, at the same time, while considering an application for bail, courts cannot lose sight of the serious nature of the accusations against an accused and the facts that have a bearing in the case, particularly when the accusations may not be false, frivolous or vexatious in nature but are supported by adequate material brought on record to enable a court to arrive at a prima facie conclusion. While considering an application for the grant of bail, a prima facie conclusion must be supported by reasons and must be arrived at after having regard to the vital facts of the case brought on record. Due consideration must be given to facts suggestive of the nature of crime, the criminal antecedents of the accused, if any, and the nature of punishment that would follow a conviction vis-à-vis the offence(s) alleged against an accused.*" (emphasis supplied)

2026:HHC:47939

15. Hon'ble Supreme Court held in ***State of Rajasthan v. Balchand*, *(1977) 4 SCC 308: 1977 SCC (Cri) 594: 1977 SCC OnLine SC 261*** that the normal rule is bail and not jail, except where the gravity of the crime or the heinousness of the offence suggests otherwise. It was observed at page 308:

> **2.** The basic rule may perhaps be tersely put as bail, not jail, except where there are circumstances suggestive of fleeing from justice or thwarting the course of justice or creating other troubles in the shape of repeating offences or intimidating witnesses and the like, by the petitioner who seeks enlargement on bail from the Court. We do not intend to be exhaustive but only illustrative.
>
> **3.** It is true that the gravity of the offence involved is likely to induce the petitioner to avoid the course of justice and must weigh with us when considering the question of jail. So also, the heinousness of the crime...."

16. The present petition has to be decided as per the parameters laid down by the Hon'ble Supreme Court.

17. The status report mentions that Jaskaran @ Kali sent a message to the petitioner regarding some urgent work. The petitioner responded to the message. Jaskaran told the petitioner that some person would pay him the money and a pistol should be picked up from Jalandhar-Kapurthala Chowk. Jaskaran had also sent a video on the petitioner's Telegram app showing the location of the place where the pistol was kept. Jaskaran told the

petitioner that he would be paid ₹50,000/- to shoot at a person and that Satinder Pal @ Chindu would accompany the petitioner. Harry called the petitioner on 31.10.2023 and told him that a bike was parked in the house of Satinder Pal. The petitioner met Satinder Pal and paid ₹5,000/- to him. They boarded a motorcycle at Saloh Chowk. Sumit Jaiswal and Luvpreet met the petitioner at Rainsari. Satinder Pal was driving the motorcycle. The petitioner was sitting as a pillion rider. The petitioner shot at the informant. Satinder Pal concealed the bike. The petitioner ran away from the spot and subsequently went to Punjab.

18. The status report specifically mentions that the motorcycle was not bearing any registration number, and the status report is silent on how it is connected to the crime. Thus, the recovery of the motorcycle *prima facie* does not connect the petitioner to the commission of the crime.

19. No person had identified the shooters. It was mentioned in the status report that the shooters had concealed their faces, and the informant was unable to identify the shooters. Thus, the identity of the petitioner as a shooter is not established.

20. The police also relied upon the CCTV footage in which some vehicles were seen moving from Himachal to Punjab. It is not mentioned how the movement of the vehicles in the CCTV footage would connect the petitioner to the commission of the crime.

21. The police have also relied upon the call detail records, but in the absence of any material to show what was discussed during the calls, the petitioner cannot be connected to the commission of the crime. Moreover, the status report specifically mentioned that the petitioner had switched off his mobile phone on 31.10.2023 at about 01:30 PM. Hence, the call detail records do not connect the petitioner's location to the scene of the crime.

22. There is no other evidence to *prima facie* connect the petitioner to the commission of the crime, and the petitioner cannot be detained in custody based on the material collected by the prosecution.

23. The Hon'ble Supreme Court held in ***Sumit Jaswal vs. State of H.P. in Criminal Appeal No. 4240 of 2025 decided on 24.09.2025*** that Sumit Jaswal, one of the co-accused, had already

2026:HHC:47939

suffered incarceration and there was no possibility of trial being concluded in the near future. Hence, he was entitled to bail. The status report mentions that the prosecution has examined 8 witnesses and statements of 68 witnesses were yet to be recorded. Therefore, the observations made by the Hon'ble Supreme Court in the bail petition of the co-accused would apply to the petitioner as well because the trial is not likely to conclude soon, considering the number of witnesses and the dates on which the matter is being listed by the learned Trial Court. Thus, there is force in the submission of learned counsel for the petitioner that the petitioner's right to speedy trial is being violated and he is entitled to bail on the principle of parity with the co-accused.

24. It was submitted that the petitioner would intimidate the witnesses in case of his release on bail. This apprehension is not sufficient to deny bail to the petitioner because it can be removed by imposing conditions.

25. The petitioner asserted that he is a permanent resident of District Kapurthala. This was not stated to be

incorrect. It means that the petitioner has roots in the society and there is no likelihood of his absconding.

26. The petitioner asserted that he does not have any criminal antecedents, and this was confirmed in the status report, wherein it was specifically mentioned that the petitioner does not have any criminal antecedents. Thus, the petitioner can be released on bail.

27. In view of the above, the present petition is allowed, and the petitioner is ordered to be released on bail, subject to his furnishing bail bonds in the sum of ₹1,00,000/- with one surety in the like amount to the satisfaction of the learned Trial Court. While on bail, the petitioner will abide by the following conditions: -

(I) The petitioner will not intimidate the witnesses, nor will he influence any evidence in any manner whatsoever.

(II) The petitioner shall attend the trial on each and every hearing and will not seek unnecessary adjournments.

(III) The petitioner will not leave the present address for a continuous period of seven days without furnishing the address of the intended visit to the SHO concerned, the Police Station concerned and the Trial Court.

(IV) The petitioner will surrender his passport, if any, to the Court; and

(V) The petitioner will furnish his mobile number and social media contact to the Police and the Court and will abide by the summons/notices received from the Police/Court

through SMS/WhatsApp/Social Media Account. In case of any change in the mobile number or social media accounts, the same will be intimated to the Police/Court within five days from the date of the change.

28. It is expressly made clear that in case of violation of any of these conditions, the prosecution will have the right to file a petition for cancellation of the bail.

29. The petition stands accordingly disposed of. A copy of this order be sent to the Jail Superintendent, District Jail, Chamba, HP and the learned Trial Court by *FASTER*.

30. The observations made hereinabove are regarding the disposal of this petition and will have no bearing whatsoever on the merits of the case.

(Rakesh Kainthla)
Judge

2nd November, 2026
(Chander)

NIKITA THAKUR
Digitally signed by NIKITA THAKUR
Date: 2026.11.02 13:07:51 +0530