

**Harbans Lal & Ors. Vs. State of Himachal Pradesh.
CR.R No. 62 of 2026.**

27.01.2026 Present: Mr. V.S. Chauhan, Senior Advocate, with Ms. Priti Steta, Advocate, for the petitioners.
Mr. Vishal Panwar, Additional Advocate General, for the respondent.

CR.R No. 62 of 2026

Notice. Mr. Vishal Panwar, learned Additional Advocate General, waives and accepts notice on behalf of the respondent.

Admit.

Cr.M.P No. 363 of 2026

Notice. Mr. Vishal Panwar, learned Additional Advocate General, waives and accepts notice on behalf of the respondent.

Reply be filed on **09.03.2026**.

The petitioners were tried for commission of offences under Sections 419, 467, 468, 120-B of the Indian Penal Code read with Sections 7 and 10 of the H.P. Board of School Education Act, 1968. Learned Additional Chief Judicial Magistrate, Court No.1, Kangra, H.P. vide judgment dated 19.12.2016 had convicted the petitioners. The petitioner Harbans was convicted under Sections 419, 467, 468, 120-B of the Indian Penal Code, while petitioners No.2 and 3 were convicted under Section 120-B of the Indian Penal Code. Vide order dated 27.02.2017, the petitioners were awarded the following sentences:-

Sr. No.	Offence under which accused persons are convicted	Sentenced of imprisonment	Fine imposed	In default
A-1. (Harbans)	S.419 IPC	2 year (6 months rigorous imprisonment + 18 month simple imprisonment)	Rs.10,000/-	15 days s.i.
	S.467 IPC	2 year (6 months rigorous imprisonment + 18 month simple imprisonment)	Rs.10,000/-	15 days s.i.
	S.468 IPC	2 year (6 months rigorous imprisonment + 18 month simple imprisonment)	Rs.10,000/-	15 days s.i.
	S.120-B IPC	2 year (6 months rigorous imprisonment + 18 month simple imprisonment)	Rs.20,000/-	15 days s.i.
A-2. (Vinod)	S.120-B IPC	2 year (6 months rigorous imprisonment + 18 month simple imprisonment)	Rs.20,000/-	15 days s.i.
A-3. (Pankaj)	S.120-B IPC	2 year (6 months rigorous imprisonment + 18 month simple imprisonment)	Rs.20,000/-	15 days s.i.

The petitioners feeling aggrieved against the judgment of conviction and sentence awarded by the learned Additional Chief Judicial Magistrate, Kangra, District Kangra, H.P., in Criminal Case No. 53-II/2009, titled ***The State of Himachal Pradesh Vs. Harbans Lal and others***, had preferred an Appeal before the learned Additional Sessions Judge (I), Kangra at Dharamshala, District Kangra, H.P.. The said Court had dismissed the Criminal Appeal No. 5-D/X/2017,

titled ***Harbans Lal and others Vs. The State of Himachal Pradesh***, vide judgment dated 23.12.2025.

A perusal of the grounds in the Revision reveals that there are considerable point involved and the same is likely to take some time for final adjudication. Since the petitioners have been awarded fixed sentence and further the Revision Petition is likely to take some time for final adjudication, therefore, in the meantime, the substantive sentence imposed by the learned Additional Chief Judicial Magistrate, Kangra, District Kangra, H.P., vide order dated 27.02.2017, is ordered to be stayed till further orders, on the following conditions:-

1) The petitioners shall furnish personal bonds to the tune of Rs.20,000/- each, with one surety each in the like amount, to the satisfaction of the learned Trial Court and further give undertaking, in case, the Revision Petition filed by them is dismissed, they will surrender before the learned Trial Court for serving the remainder sentence.

2) The petitioners shall not leave the country without the prior permission of this Court.

List on **09.03.2026.**

Jiya Lal Bhardwaj
Vacation Judge

January 27, 2026
(Shivank Thakur)