

Nishant Sharma Vs. State of Himachal Pradesh and Others a/w connected matter.

Item No. (S-8)

**Cr.WP No.4 of 2025 a/w
Cr.WP No.14 of 2023**

Cr.WP No.4 of 2025

17.12.2025

Present: Petitioner (Nishant Sharma) through video conferencing.

Mr. Anup Rattan, Advocate General with Mr. Pranay Pratap Singh, Additional Advocate General, for respondents No.1 & 3-State.

Mr. Rajender Thakur, Central Government Counsel, for respondent No.4-Union of India.

Mr. Rajneesh Maniktala, Senior Advocate with Mr. Dinkar Bhaskar, Advocate, for respondent No.5.

Cr.WP No.14 of 2023

Court on its own motion.

Mr. Anup Rattan, Advocate General with Mr. Pranay Pratap Singh, Additional Advocate General, for respondents No.1 & 3-State.

Mr. Manish Sharma, Advocate, for respondent No.2.

Mr. Arjun Lal, Advocate, for respondent No.4.

Mr. Rajneesh Maniktala, Senior Advocate with Mr. Dinkar Bhaskar, Advocate, for the applicant in Cr.MP No.2104 of 2025.

Complainant (Nishant Sharma) through video conferencing.

CRMP Nos.2103 and 2104 of 2025 in Cr.WP No.14 of 2023

The two applications being CRMP No.2103 of 2025 on behalf of Sh. Ashok Katoch, who is stated to be Social Worker and CRMP No.2104 of 2025 on behalf of Sh. Keshav Dutt Shreedhar under Rule 13 of Himachal Pradesh Original Side (Writ Jurisdiction) Rules read with

Articles 226 and 227 of the Constitution of India have been filed for intervening.

2. The application in the said proceedings in Cr.WP No.14 of 2023 was initiated on account of the e-mail dated 28.10.2023 received from Nishant Sharma. It is to be noticed that in the said e-mail specific allegations had been made of threat perception against Sh. Keshav Dutt Shreedhar and on account of which Sh. Keshav Dutt Shreedhar seeks intervention.

3. In the application filed by Mr. Ashok Katoch, the primary grouse as such of the said applicant is that police protection which has been extended as to Mr. Nishant Sharma on that the total expenditure incurred on the security of the said person has exceeded to Rs.50,00,000/- from the State exchequer i.e. the reason to prefer the application for intervention.

4. In the reply to the said application, the opposition has been raised that the protection under Article 21 has been granted because of the failure of the State machinery.

5. We are of the considered opinion that the need of Sh. Ashok Katoch for intervention does not arise in the present case, since, by the order of the Supreme Court, when the matter was remanded on 16.09.2025, the security provided to Sh. Nishant Sharma was ordered to

be discontinued, which would be clear from paragraph 13 of the said order and therefore, we do not feel the necessity of Sh. Ashok Katoch to intervene in this matter. The protection granted was that stage and even the Supreme Court has given the liberty to Sh. Nishant Sharma to approach the High Court in order to make appropriate request in that regard, if so required and therefore, we dismiss the application CRMP No.2103 of 2025 for intervention.

6. The application being CRMP No.2103 of 2025 stands disposed off accordingly.

CRMP No. 2104 of 2025 in Cr.WP No.14 of 2023

7. The said application has been opposed by filing the reply. Mr. Keshav Dutt Shreedhar was impleaded as respondent No.5 on 07.02.2025 by noticing the complaint in the connected case. The relevant part of the order dated 07.02.2025 reads as under:-

“Cr.W.P No. 4 of 2025

Notice. Mr. Rakesh Dhaulta, learned Additional Advocate General and Mr. Rajiv Rai, learned counsel accept notice on behalf of respondents No.1 to 3 and respondent No.4, respectively.

A perusal of the paper book would go on to show that complaint (Annexure P-21) under Section 156(3) of Code of Criminal Procedure was filed by Mr. Keshav Dutt Shridhar, wherein the Judicial Magistrate-First Class, Court No.1, Dharamshala, District Kangra, H.P., had directed the concerned SHO to submit a status report vide order dated 18.11.2024. Apparently, the said complainant has not been made

respondent in this petition. To remove the said deficiency and keeping in view the above, Mr. Keshav Dutt Shridhar is impleaded as respondent No.5. Mr. Kush Sharma, learned counsel appears on his behalf. Copy of paper book be also supplied to respondent no.5 during the course of the day. Power of attorney on his behalf be filed by the next date of hearing.

Reply be filed by respondents by the next date of hearing.

*List alongwith **Cr.W.P No. 14 of 2023.***

8. Since, he is already impleaded in the connected matter, the objections which have been raised in the reply as such contesting his intervention application, in our considered opinion is without any basis.

9. As noticed in the e-mail itself also his name figured prominently and therefore, it would be only in the interest of Justice the counsel as such is allowed to assist the Court. Keeping in view the controversy which is arising since, he is named in the FIR No.55 of 2023 dated 16.11.2023 lodged by Nishant Sharma at Police State Macleodganj, Dharamshala, Himachal Pradesh which is the subject matter of consideration of these petitions alongwith FIR No.98 of 2023 dated 04.11.2023 lodged by Sh. Sanjay Kundu.

10. A perusal of the order of the Apex Court dated 16.09.2025 in particular paragraph 5 would go on to show that Mr. Keshav Dutt Shreedhar had also preferred SLP vide Diary No.50109/2024 and therefore, it would be necessary as such to permit the said applicant as such to intervene in the manner.

11. Resultantly, the application is allowed and stands disposed off accordingly.

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12. However, keeping in view the fact that the Apex Court has already directed this Court to consider the cancellation reports, we deem it fit that no further documents are permitted to be filed by the applicant on the record.

13. As per the earlier order, copies of the reports have been received from the Courts below.

14. Accordingly, the proceedings are deferred for **06.01.2026**.

CMP No.2105 of 2025

15. The present application is disposed off with a direction to the petitioner to file a copy of English Translation of **Annexure P-6** by the next date.

16. The application stands disposed off.

(G.S. Sandhwalia)
Chief Justice

(Jiya Lal Bhardwaj)
Judge

17th December, 2025
(Munish Thakur)