

Deepak Kumar vs. State of H.P. & Anr.

Cr.MP(M) No.505 of 2025

04.05.2026 Present: Mr. Divya Raj Singh, Advocate, for the applicant.
Mr. Tejasvi Sharma and Mr. H.S. Rawat, Additional
Advocates General, with Ms. Ranjna Patial, Deputy
Advocate General, for respondent No.1/State.

Today, the case has been listed for consideration.

As pointed out, by Mr. Divya Raj Singh, learned
counsel appearing for the applicant, the directions issued by
this Court in Cr.MP(M) No.2717 of 2024, titled as Naresh
Kumar versus State of H.P., as reiterated, in this case, i.e.
Cr.MP(M) No.505 of 2025, have not been complied with, by the
State.

In order to buttress his contention, learned counsel
appearing for the applicant has drawn attention of this Court
towards the status report filed in Cr.MP(M) No.638 of 2026,
titled as Raju Sharma alias Lambhu versus State of H.P. and
pointed out that the status report has not been annexed with
the application for remand, as well as, copy of the status report
filed before the Court, where, the applicant in the said case, had
approached for bail, has not been annexed.

As per the applicant, he has approached the Court
of learned Additional Sessions Judge, Nurpur, District Kangra,
H.P., where, his application was dismissed on 14.08.2024.

Status report, which has been filed, is totally silent about the said fact.

This Court, while deciding Cr.MP(M) No.2717 of 2024, titled as Naresh Kumar versus State of H.P. on 18.12.2024, has issued certain directions. Relevant paragraph-25 of the judgment is reproduced as under:-.

“25 Before parting with this Order, this Court is of the view that, it is high time for this Court to direct the Principal Secretary (Home) to the Government of Himachal Pradesh, to issue necessary directions to all the Superintendents of Police in the State, with a further direction to circulate the same amongst all the Investigating Officers, to mention all material facts, found in the investigation, in the status report(s), filed in the Court either during remand or in the bail application, before the learned Judicial Magistrate First Class/learned Additional Sessions Judge/learned Sessions Judge. In order to achieve the said goal, the Investigating Officer of the case is directed to annex the copy of the remand order/status report, filed in the Court previously, at the time of hearing of bail application, so that clear picture could be brought to the notice of the Court, while deciding the question of releasing on bail.”

These directions were reiterated, again in this case, vide order dated 04.04.2025, by issuing the following directions. Relevant paragraph-26 of the judgment is reproduced, as under:-

“26. Before parting with the order, it is high time for this Court to seek compliance of the directions, issued by this Court, vide order dated 18.12.2024, in Cr. M.P. (M) No. 2717 of 2024, titled as, ‘Naresh Kumar Vs. State of H.P., by directing the Principal Secretary (Home) to the Govt. of H.P. to file an

affidavit, within six week, with regard to compliance of those directions, so that the unpleasant situation, as has arisen in this case, may not happen, in any other case.”

Although, the compliance affidavit has been filed, in this case, however, averments of the said compliance affidavit are far away from the hard reality.

In such situation, affidavit with regard to compliance of the directions of this Court, issued in Cr.MP(M) No.2717 of 2024, titled as Naresh Kumar versus State of H.P., dated 18.12.2024, as reiterated in this case, be called for, from all the Superintendents of Police in the State of Himachal Pradesh.

List after four weeks.

(Virender Singh)
Judge

May 04, 2026
(subhash)