

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MP(M) No.1198 of 2026

Date of Decision: 20.7.2026

Shyam Rastogi

.....Petitioner

Versus

State of Himachal Pradesh

.....Respondent

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?

For the Petitioner: Mr. Rakesh Thakur and Mr. Nitin Sood,
Advocates.

For the Respondent: Mr. Rajan Kahol & Mr. Vishal Panwar, Additional
Advocates General and Mr. Ravi Chauhan & Mr.
Anish Banshtu, Deputy Advocates General.

Sandeep Sharma, J. *(Oral)*

Respondent-State has filed status report and SI Narender Singh, PS Nalagarh, has come present with record. Record perused and returned.

2. Careful perusal of the record reveals that prosecution has proposed to examine nine witnesses. Statement of one witness has been already recorded and for recording the statement of remaining witnesses, learned court below has fixed the matter on 24/25.8.2026. Though bail petitioner is behind bars since 6.12.2025, but having taken note of the fact that trial is nearing completion coupled with the fact that petitioner is accused of heinous crime punishable under Sections 80(2), 85 and 3(5) of

the Bharatiya Nyaya Sanhita, 2023, Sections 3 & 4 of the Dowry Prohibition Act and Section 6 of the POCSO Act, this court is not persuaded to consider the request of grant of bail on the ground of inordinate delay in conclusion of trial.

3. Faced with the aforesaid situation, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file fresh application, if required and desired. Ordered accordingly.

4. Having taken note of the fact that bail petitioner is behind bars for almost eight months and learned court below has already fixed the matter on 24/25.8.2026, for recording the statements of remaining witnesses, this court hopes and trusts that court below would make all out effort to conclude the trial expeditiously, preferably on or before 15.9.2026.

5. Learned Additional Advocate General undertakes to render proper assistance on behalf of the prosecution, enabling the court below to conclude the trial in terms of instant order passed by this Court. Needless to say, this Court on judicial as well as administrative sides, has been repeatedly advising the courts below to conclude the trial of under trials on top most priority so that their freedom is not curtailed for an indefinite period. Registry is directed to apprise the court below with regard to passing of the instant order.

July 20, 2026

(Sandeep Sharma),

(manjit)

Judge