



2025:HHC:38317

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IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MP(M) No. : 2331 of 2025

Reserved on : 07.11.2025

Decided on : 14.11.2025

Anant Ram ...Applicant

Versus

State of Himachal Pradesh ...Respondent

Coram

The Hon'ble Mr. Justice Virender Singh, Judge.

Whether approved for reporting?¹

For the applicant : Mr. Rohan Thakur, Advocate.

For the respondent : Mr. H.S. Rawat, Additional Advocate General with Ms. Ranjna Patial and Ms. Avni Kochhar Mehta, Deputy Advocates General, assisted by SI Sukhdev, Police Station Barsar, District Hamirpur, H.P.

Virender Singh, Judge *(Oral)*

Applicant–Anant Ram, apprehending his arrest, in case **FIR No.119 of 2025, dated 22.08.2025, registered, under Sections 79 and 74 of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as 'BNS'), with Police Station, Barsar, District Hamirpur, H.P.,** has filed the present application, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS').

¹ *Whether Reporters of local papers may be allowed to see the judgment? Yes.*



2. By way of the present application, indulgence of this Court has been sought to direct the Police/ Investigating Officer of Police Station Barsar, District Hamirpur, H.P., to release him on bail, in the event of his arrest, in the above noted case.

3. According to the applicant, he is a senior citizen and false complaint has been filed against him by the complainant, who is not stranger, but, his daughter-in-law, in the month of August, 2025.

4. As per the applicant, he is suffering from various ailment and in the last two years, he has undergone two bypass surgeries and in the year of 2015, he was diagnosed with blood cancer and is undergoing the medical treatment of the same at PGI Chandigarh.

5. It is the further case of the applicant that his son Dharmender Rajput, expired on 10.04.2020 and after the death of his son, the complainant started threatening the petitioner of grave consequences, in case he will not transfer his land in her name. Due to the old age and suffering from various ailments, the applicant has accepted the unjust demands of the complainant.



6. According to the applicant, thereafter, the daughters of the applicant, had preferred appeal under Section 14 of the H.P. Land Revenue Act, 1955, against the complainant, in which, she has been restrained, vide order dated 17.06.2025.

7. The case, which has been registered against him, is stated to be false and having no iota of evidence.

8. Apart from this, learned counsel appearing for the applicant, has given certain undertakings, on behalf of the applicant, for which, the applicant is ready to abide by, in case, any direction is issued to the I.O./Police, under Section 482 BNSS.

9. On the basis of the above facts, a prayer has been made to allow the application.

10. When put to notice, the police has filed the status report, disclosing therein, that on 22.08.2025, the complainant, appeared before the Police of Police Station, Barsar and submitted a complaint, mentioning therein, that her father-in-law Anant Ram is harassing her physically and mentally. He allegedly used to do obscene acts and also give bad touch to her. She has also got



lodged, in the complaint, that, in case, his activities are not stopped, then the police will be responsible for the life of the complainant and her children.

10.1. The complainant has also got lodged in the complaint that the applicant used to threaten her not to disclose his obscene acts, otherwise, he will throw her out of the house and may also debar from his property. The applicant allegedly threatened her to consume poison and also that she has to face the consequences. He used to threaten her and level baseless allegations against her.

10.2. According to the complainant, the applicant also used to level allegations, against her that she has killed three members of his family. His image is stated to be not good, as he used to see the obscene videos on his mobile phone and also raise finger on her character.

10.3. The complainant has further alleged that the daughters of the applicant were also involved in the said activities and whenever, she used to seek help from anyone, then they also levelled allegations against the said persons. As such, she has prayed that action be taken against the applicant.



11. On the basis of the above facts, the police registered the case and criminal machinery swung into motion.

12. After registration of the FIR, spot was visited and spot map was prepared. Photography of the spot was also got done. Thereafter, statement of the complainant under Section 180 of BNSS was recorded on 23.08.2025.

13. On 25.08.2025, the complainant was produced before the Court of learned Judicial Magistrate First Class, Barsar, where, her statement, under Section 183 BNSS, was recorded. Thereafter, Section 74 of the BNS was also added, in this case.

14. After perusing the said status report, on 19.09.2025, interim protection was granted to the applicant and the matter was adjourned for 26.09.2025.

15. On 26.09.2025, the police has filed the status report, disclosing therein, that the police tried to contact the applicant, but, he has informed the police that he is ill and under treatment in PGI Chandigarh. Thereafter, the matter was adjourned for 10.10.2025.



16. On 10.10.2025, learned Additional Advocate General sought time to file fresh status report and the matter was adjourned for 31.10.2025, on which date, status report was not filed and the matter was adjourned for 07.11.2025.

17. On 07.11.2025, the police has filed the status report, disclosing therein, that the applicant has joined the investigation and his mobile phone was also taken into possession.

18. In the status report, it has also been mentioned that except the present case, no other case is found to have been registered against the applicant.

19. On the basis of the above facts, a prayer has been made to dismiss the application.

20. The applicant, along with the application, has also annexed the documents, pertaining to his treatment with PGI Chandigarh.

21. Keeping in view the age, which has been mentioned in the medical record as 87 years, as well as, the documents, pertaining to medical treatment, this Court is of the view that the applicant falls within the definition of infirm person.



22. The legislature, in its wisdom has added the proviso to Section 480 (ii) of BNSS, according to which, the Court may release a person on bail, if such person is a child or is a woman or is sick or infirm.

23. The investigation, in the present case, is almost complete, as, the mobile phone of the applicant has been taken into possession. No prayer for custodial interrogation has been made by the Police.

24. When, the police is not claiming the custodial interrogation, then, this Court is of the view that the interim protection, granted to the applicant, is required to be made absolute.

25. Considering all these facts, the interim order dated 19.09.2025, passed by this Court, is hereby made absolute. Therefore, it is ordered that the applicant be released on bail, in the event of his arrest, in case **FIR No.119 of 2025, dated 22.08.2025**, registered, **under Sections 79 and 74 of the BNS**, with **Police Station, Barsar, District Hamirpur, H.P.**, on his furnishing personal bond, in the sum of ₹50,000/-, with one surety of the like amount, to the satisfaction of the Investigating



Officer. This order, however, shall be subject to the following conditions :

- a) That the applicant shall join the investigation of the case, as and when, called for, by the Investigating Officer, in accordance with law;*
- b) That the applicant shall not leave India, without prior permission of the Court;*
- c) That the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person, acquainted with the facts of the case, so as to dissuade him/her from disclosing such facts to the Investigating Officer or the Court; and*
- d) That the applicant shall regularly attend the trial Court on each and every date of hearing and if prevented by any reason to do so seek exemption from appearance by filing appropriate application.*

26. Any of the observations, made hereinabove, shall not be taken as an expression of opinion, on the merits of the case, as these observations, are confined, only, to the disposal of the present application.

27. It is made clear that the respondent-State is at liberty to move an appropriate application, in case, any of the bail conditions, is found violated by the applicant.

(Virender Singh)
Judge

November 14, 2025 *(ps)*