

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MP(M) No.2392 of 2025

Decided on 16.10.2025.

Vishwa Mohan Dev Chauhan

....Petitioner

Versus

State of H.P. & another

....Respondents

Coram

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting? No.

**For the petitioner : Mr. Shivam Sharma, Advocate,
Proxy Counsel.**

**For the respondent/State : Mr. Jitender K. Sharma,
Additional Advocate General.**

**For the Victim/informant : Mr. Kamal Sharma, Advocate,
Proxy Counsel.**

Rakesh Kainthla, Judge (Oral)

Learned Additional Advocate General submits that the petitioner has approached this Court directly without approaching the Court of Sessions having jurisdiction. He relied upon judgment of Hon'ble Supreme Court in *Mohammed Rasal C versus State of Kerala and Anr. Special Leave to Appeal (Crl.) No. 6588 of 2025, decided on 08.09.2025 and Jagdeo Prasad v. State of Bihar, 2025 SCC OnLine SC 2108*, wherein it was held that a party

should not be encouraged to approach the High Court directly without approaching the Court of Sessions.

2. In view of above, learned counsel appearing on behalf of petitioner, under instructions, seeks permission to withdraw the present petition and to approach the Court of learned Special Judge having jurisdiction. Ordered accordingly.

Pending applications, if any, also stand disposed of.

(Rakesh Kainthla)
Judge

16th October, 2025.
(ravinder)