

**IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA**

Cr.MP(M) No. : 2610 of 2025
Reserved on : 25.11.2025
Decided on : 28.11.2025

Ramesh Chander Jaswal ...Applicant

Versus

State of H.P.Respondent

Coram:

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

Whether approved for reporting?¹

For the Applicant : Mr. Amrinder Singh Rana,
Advocate.

For the Respondent : Mr. Varun Chandel, Mr.
Mohinder Zharaick and Mr. H.S.
Rawat, Additional Advocates
General, with Ms. Ranjna Patial
and Mr. Rohit Sharma, Deputy
Advocates General.

Virender Singh, Judge

Applicant Ramesh Chander Jaswal has filed the present application, under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'BNSS'), for releasing him on bail, during the pendency of the trial, arising out of FIR No.187 of 2024, dated 23.12.2024, registered under Sections 103(1), 109(1), 190, 191(3), 61(2) of Bharatiya Nyaya Sanhita (hereinafter referred to as 'BNS')

¹ Whether reporters of Local Papers may be allowed to see the judgment?



and Sections 25 & 27 of the Arms Act, with Police Station, Haroli, District Una, H.P.

2. According to the applicant, he is innocent person and has falsely been implicated, in the present case.

3. According to the applicant, he has no concern, whatsoever, with the crime in question. Presently, applicant is stated to be in judicial custody. Investigation, in the present case, is stated to have been completed and the police has filed the charge sheet, in which, total 68 witnesses, have been cited, as prosecution witnesses.

4. The applicant had earlier tried his luck, by moving similar application, before the Court of learned Additional Sessions Judge-II, Una, District Una, H.P., which was dismissed on 07.10.2025.

5. Highlighting the fact that, as per the evidence, collected by the police, especially, the CCTV footage, it has been found that the applicant had left his shop at 11:37 AM, after the first incident of fight. Thereafter, he came back to the shop at 12:01 PM, and parked the scooty near his shop and went to the shop to open the same. In the meanwhile, accused Deshdeep came there, in his car and stopped the



car and took the rifle from the car. The applicant had tried to stop him, but, he ran away. In this regard, the applicant has relied upon the CCTV footage, obtained by the police, during the investigation.

6. It is the further case of the applicant that the spot is at a distance of 100 meters, away from his shop and the applicant, at the time of alleged firing, was in his shop.

7. According to the applicant, no role is stated to be attributed to the applicant to connect him with the crime, in question. The bail has also been sought on the ground that there is undue delay in the trial.

8. Apart from this, Mr. Amrinder Singh Rana, Advocate, has given certain undertakings, on behalf of the applicant, for which, the applicant is ready to abide by, in case, he is ordered to be released on bail, during the pendency of the trial.

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

10. When, put to notice, the police has filed the status report, disclosing therein, that on 23.12.2024, MC Pandoga, telephonically informed the police of Police Post



Pandoga, that there is incident of firing in village Bhadsali, upon which, HC Sunny Sharma, Sub Inspector, Chetan Singh I.O., Police Post Haroli, along with other police officials, had proceeded towards Regional Hospital, Una, as the injured persons, in the firing incident, were brought for treatment to Regional Hospital, Una. In Regional Hospital, Una, the Medical Officer had disclosed that the injured persons, in the said shooting incident, namely; Ravinder Kumar, son of Sanjeev Kumar and Sanjeev Kumar son of Jagir Singh, were brought dead and their dead bodies have been kept in mortuary.

10.1. In Regional Hospital, Una, eye-witness, Jasvinder Singh son of Satnaam Singh, made a statement, under Section 173 of BNSS, before SI/IO Chetan Singh, disclosing therein, that he is resident of village Pandoga, Tehsil Haroli, District Una, H.P., and agriculturist by profession. Ravinder Kumar son of Sanjeev Kumar, resident of village Bhadsali is his friend.

10.2. On 23.12.2024, at about 10:30 AM, the complainant called Ravinder Kumar to his house, upon which, Ravinder Kumar disclosed him that he is at Ispur,



where, he and Ravinder Kumar are undertaking the work of filling in the land of Raman Pathak. After 10 minutes, Ravinder Kumar, came to the house of complainant, in his Scorpio Vehicle No.HP72D-9913. Thereafter, the complainant and Ravinder Kumar had gone to K.C. College, Pandoga, to have tea there. When, they were having tea, then, Ravinder Kumar received a call from his uncle Kuldeep Singh and Ravinder Kumar disclosed to him, that his parents were beaten in village Bhadsali, due to land dispute, by Ramesh Chand (applicant) son of Baldev Singh, Anuj Jaswal son of Om Prakash, Om Prakash, son of Ramesh Chand, Hardeep Rana alias Honey, son of Surjit. Anuj Jaswal had inflicted a Daraat blow, on the finger of his father, upon which, complainant and Ravinder Kumar had reached at place 'Tholiyan the Mohalla' in their Scorpio vehicle at 11:00 AM.

10.3. On the spot, Ramesh Chand (applicant), Anuj Jaswal, Om Prakash, Hardeep Rana alias Honey, were present there. Thereafter, Ravinder Kumar had a scuffle with Anuj Jaswal and Ramesh Chand (applicant). Thereafter, when, complainant and Ravinder Kumar, were on their way to Police Post, Pandoga to lodge the report and at about



12:00 PM, when, complainant Ravinder Kumar, reached near Senior Secondary School, at Bhadsali, then, on the opposite direction, Indigo Car, coloured white, bearing Registration No.HP19C-2021 and one Swift Car, whose, number, he could not recollect, being driven by its driver, came there. Those vehicles, were parked by their drivers in the middle of the road. Out of the Indigo vehicle, Deshdeep Jaswal alias Deepu, alighted down and lifted the rifle from the rear seat of the vehicle and out of the swift vehicle Ramesh Chand (applicant), Anuj, Om Prakash, came out and Hardeep Rana alias Honey, was also present there. Deshdeep Jaswal alias Deepu has inquired from Hardeep Rana alias Honey, as to who were fighting, upon which, Hardeep Rana alias Honey, made a sign towards the complainant and Ravinder and told that those are the persons. Thereafter, Deshdeep Jaswal proceed towards them, with rifle and on seeing the rifle in the hand of Deshdeep, Ravinder Kumar had reversed the Scorpio vehicle to move away.

10.4. In the meanwhile, Deshdeep Jaswal, fired the gunshot upon Ravinder and the said fire landed on the chest



of Ravinder Kumar and he has made another fire on the vehicle of Ravinder Kumar and when the complainant came out from the vehicle and tried to flee away, then, he fired one gunshot. Thereafter, the complainant fled away from the spot and taken shelter in Street at about 100 meters away, from where, he has called the father of Ravinder Kumar on phone. After five minutes, he has seen the parents of Ravinder proceedings towards spot in Vehicle No.HP22D-1501. The said vehicle was being driven by father of Ravinder Kumar. After sometime, he heard the noise of gunshot, upon which, he, again reached at the spot and found that local persons have already reached there, he noticed that bullet wound was there in the stomach of Sanjeev Kumar. Thereafter, complainant along with the local people including Balwinder Singh, Rakesh Kumar and others, took Sanjeev Kumar and Ravinder Kumar for further treatment to Regional Hospital Una, from where, doctor declared, both of them, as dead.

10.5. Lastly, the complainant had got recorded that father of Ravinder Kumar and family of Deshdeep Jaswal was having old land dispute and due to land dispute, on



23.12.2024, Deshdeep Jaswal alias Deepu killed Ravinder Kumar and Sanjeev Kumar, by firing bullet upon them and also tried to kill the complainant by firing towards him. As such, he has prayed that action be taken against Deshdeep Jaswal alias Deepu, Ramesh Chand (applicant), Om Prakash, Anuj Jaswal, Hardeep Rana alias Honey.

10.6. On the basis of the above facts, the police registered the case under Sections 103(1), 109(1), 190, 191(3), 61(2) of BNS and Sections 25 and 27 of Arms Act, against Desh Deep Jaswal alias Deepu, Ramesh Chand (applicant), Om Prakash, Anuj Jaswal, Hardeep Rana alias Honey. Thereafter, the investigation was handed over to SI Chetan Singh, IO Police Station, Haroli.

10.7. On 23.12.2024, SI Chetan Singh moved the application for conducting the postmortem examination of the dead bodies of Ravinder Kumar and Sanjeev Kumar. Thereafter, the dead bodies were sent to Medical College, Tanda, for postmortem examination. Thereafter, IO, visited the spot, where, he has detained Ramesh Chand (applicant), Om Prakash, Hardeep Rana alias Honey, Anuj Jaswal. Accused Ramesh Chand (applicant) and Anuj Jaswal was



sent to Civil Hospital Haroli, for their medico legally examination. Thereafter, a request was made to the team of RFSL Dharamshala, for spot inspection. The team has visited the spot and physical evidence from the spot, were taken into possession.

10.8. Accused Ramesh Chand (applicant) and Om Prakash, Anuj Jaswal and Hardeep Rana alias Honey, were arrested on 24.12.2024. They were medico legally examined at Civil Hospital, Haroli. The Medical Officer, Civil Hospital, Haroli, has also preserved the physical evidence and handed over the same to the police. On 24.12.2024, accused Deshdeep alias Deepu was also detained and was also arrested on that day. He was also medico legally examined.

10.9. On 24.12.2024, all the five accused persons were produced, before the Court of learned Additional Chief Judicial Magistrate Una, from where, they were remanded to police custody till 27.12.2024. Postmortem examination of the dead body of Ravinder Kumar and Sanjeev Kumar were got conducted and the postmortem reports of the above two deceased were obtained. As per the opinion of the Medical Officer, given in the postmortem report of deceased Ravinder



Kumar, the provisional cause of death, in this case, is suggestive of single gunshot injury leading to shock, which is sufficient to cause death in ordinary course of nature. However, he has deferred his final opinion, after the Ballistic and RFSL reports. Similar opinion has also been given in the postmortem report of deceased Sanjeev Kumar.

10.10. On 25.11.2024, the IO has visited the spot and at the instance of the complainant spot map was prepared. Statements of the witnesses were got recorded, under Sections 180 of BNSS. The vehicle bearing No.HP72D-9913, HP22D-1501 were also taken into possession and also the physical evidence has also been taken into possession.

10.11. On 26.12.2024 accused Deshdeep alias Deepu made a statement, under Section 23 BSA and got recorded following articles by demarcating the Almirah, kept in his residential house and the particulars of the articles, are as under:-

(i) one Single Barrel gun make the MGM Cooperative Society Ltd. bearing No.13465A9

(ii) Double Barrel made Modern 9S bearing No.30083-07.

(iii) A Rifle bearing No.AB0410529,



(iv) Plastic envelop containing 19 cartridges make KF8MM and make empty cartidges KF 7.65 MM.

(v) A black belt having 8 cartridges of 12 Bore and other artices.

10.12. In addition to this, another license No.LN3A7A75C18/201475, valid up to 04.12.2027, which was issued in the name of Deshdeep was also taken into possession.

10.13. Similarly, on 28.12.2024 accused Ramesh Chand (applicant), got recovered one gun 12 bore, make National Small Arm Company, which was also taken into possession, along with the cartridges. The license of the same was found in the name of Ramesh Jaswal (applicant).

10.14. During investigation, on 29.12.2024, SI Chetan Singh, in the presence of witnesses has perused the CCTV footage of the Camera, installed at Lok Mitra Kendra. Recording was found in the CCTV footage. Thereafter, footage of Camera No.1 and Camera No.3 from 11:30 AM to 12:23 PM, was checked. Camera No.1 was installed to cover the road leading to GSSS Bhadsali and Camera No.3 covered the road leading to Ravi Dass Temple. Cameras No.1 and 3 were containing the footage of the incident taken place on



23.12.2024. The footage from the DVR was downloaded, in Pen drive and was taken into possession.

10.15. During investigation, accused Deshdeep alias Deepu got recovered vehicle No.HP80A-7778, which, he had allegedly used to flee away from the spot, after the incident. The said vehicle was found to be registered, in the name of Anuj Jaswal, which was also taken into possession.

10.16. On 15.03.2025, in the presence of the witnesses, video, which was circulated in the area, through Whatsapp, was downloaded by SI Chetan Singh and perused. As per the said video, one Mahindra Scorpio, coloured black bearing Registration No.HP72D-9913 was parked on the road and deceased Sanjeev Kumar alias Sanju found coming to the spot in Vehicle No.HP22D-1501, thereafter, accused Deshdeep alias Deepu, along with the rifle, in his hand, was seen moving towards the vehicle of Sanjeev Kumar. Accused Anil Jaswal and Ramesh (applicant) were found moving behind accused Deshdeep Jaswal. Thereafter, Deshdeep Jaswal pointed the gun and proceeded further. Thereafter, the said video was also taken into possession, as evidence.



10.17. During investigation, the footage of the CCTV Camera installed in the Lok Mitra Kendra owned by Amit Kumar Son of Mahinder Jaswal in Ward No.4 Bhadsali was perused. As per the said CCTV footage, at 11:37:39 AM, accused Hardeep Rana alias Honey, was found moving towards GSSS Bhadsali on his scooty. Thereafter, at about 11:58 AM accused Deshdeep was found moving towards his house in his Indigo vehicle. At about 11:59:25 AM, accused Ramesh Chand Jaswal (applicant), was found coming on red coloured motorcycle and accused Anil Jaswal and another persons in a black motorcycle and a silver coloured Swift Car No.HP80A-5731.

10.18. Accused Ramesh Chander Jaswal (applicant), Anuj Jaswal and third person found boarding in Swift Car and moved up to Ravi Dass Temple Bhadsali in the vehicle. Thereafter, at 12:01:30 PM, accused Hardeep Rana alias Honey was found coming on his scooty from GSSS Bhadsali side and parked the scooty in front of his shop, at that time, accused Deshdeep was found moving towards his house in Indigo Car No.HP19C-2021, and parked the vehicle in the middle of the road. Meanwhile, a Swift car No.HP80A-6688



also found coming from Ravi Dass Temple side and driver stopped the car behind the car of Deshdeep Jaswal. Thereafter accused Deshdeep came out from his car and took out rifle from the rear seat of his car and at that time accused Hardeep Rana alias Honey, was also seen with accused Deshdeep. Accused Deshdeep fired a gunshot at 12:02:01, at about 12:02:51 PM, driver of Car No.HP8A-6688 came out and proceeded further. Thereafter, at 12:03:50 PM driver of vehicle No.HP80A-6688 reverse the car and turned the same towards the passage leading to the house of Deshdeep. Thereafter accused Deshdeep boarded his Indigo Car and proceeded towards his house. He was followed by accused Hardeep Rana alias Honey in his scooty.

10.19. In the meanwhile a Scorpio Vehicle No.HP20C-7994 came from Bhadsali school side and towards Ravi Dass Temple. At about 12:05:45 PM, a Swift Car HP80A-5731, being driven by its driver, reached at the spot, and from the back side of the window of the driver, accused Anuj Jaswal was found alighting down and from the driver side accused Om Prakash was found alighting down from the vehicle and both proceeded towards the spot. At about



12:20:45 PM accused Om Prakash, Anuj Jaswal, Ramesh Chand (applicant), were found coming from Bhadsali towards, Ravi Dass Temple, in their vehicle.

10.20. In the status report, role of applicant Ramesh Chander Jaswal, has been highlighted by pleading that on 23.12.2024, Ramesh Chander Jaswal and Anuj Jaswal, had gone to work, in their field, at Tholiyan. Fields of Ramesh Chander Jaswal and Sanjeev Kumar (deceased) were adjacent to each other and they were having the land dispute with each other. At about 11:00 AM, when, Sanjeev Kumar, and his wife Saroj, reached, in the field at Tholiyan, a scuffle had taken place, with Ramesh Chand Jaswal (applicant), and Anuj Jaswal. Thereafter, Kuldeep Singh, brother of Sanjeev Kumar (deceased), came to the spot and also called the son of Sanjeev Kumar, to the spot, on phone. Thereafter, Ravinder Kumar (deceased), son of the Sanjeev Kumar (deceased), along with his friend Jasvinder Singh @ Jassa, also came to the spot and a scuffle had taken place between Ravinder Kumar (deceased) and Sanjeev Kumar (deceased) with Ramesh Chander Jaswal and Anuj Jaswal. Thereafter, accused Hardeep Singh Rana @ Honey and Om



Prakash came to the fields. At about 12:00 PM accused Hardeep Rana alias Honey, reached at Hatiyan, in his Swift Car and accused Anuj Jaswal, Ramesh Chander Jaswal, and Om Prakash, boarded the Swift Car and proceeded towards Pandoga side. Thereafter, accused Deshdeep Jaswal fired on Ravinder Kumar and accused Hardeep Singh Rana @ Honey called accused Ramesh Chander Jaswal, Anuj Jaswal and Om Prakash, from Bhadsali to the spot, who, after five minutes reached at the spot. Accused Hardeep Rana @ Honey and accused Deshdeep were already on the spot. Thereafter, all the five accused waited for deceased Sanjeev Kumar. When Sanjeev Kumar, along with his wife, came to the spot, accused Anuj Jaswal, Ramesh Chander Jaswal (applicant) and accused Deshdeep, having rifle in his hand, proceeded towards Sanjeev Kumar (deceased), in order to kill him, who, on seeing them, had tried to flee away from the spot. Accused Anuj Jaswal, Ramesh Chander Jaswal and Deshdeep, had chased Sanjeev Kumar (deceased), however, accused Deshdeep had fired upon him. Thereafter, accused Ramesh Chander Jaswal, had given beatings to the wife of Sanjeev Kumar.



10.21. As per the statement of the complainant, when, accused Deshdeep Jaswal inquired from Hardeep Rana alias Honey about the persons, who were involved, in the quarrel, upon which, Hardeep Rana alias Honey allegedly made sign towards Ravinder Kumar and complainant Jasvinder Singh, upon which, accused Deshdeep proceeded towards Ravinder Kumar. After firing gunshot to Ravinder Kumar, Hardeep Rana alias Honey called other accused namely Ramesh Chander Jaswal (applicant), Om Prakash and Anuj Jaswal, on phone. After sometime, accused Ramesh Chander Jaswal (applicant), Om Prakash and Anuj Jaswal reached at the spot and all the five accused waited for Sanjeev Kumar. When accused Deshdeep fired at Sanjeev Kumar, accused Ramesh Chander Jaswal, given beatings to the wife of Sanjeev Kumar (deceased).

10.22. The charge sheet is stated to have been prepared and filed after receipt of the report from RFSL, Dharamshala whereas, the report of SFSL, Junga is still awaited. Thereafter, the Superintendent of Police was requested to provide the CDRs and Consumer Application Form of the complainant Jasvinder Singh deceased Sanjeev Kumar and



all the five accused. For prosecuting against Deshdeep, under Section 25(1)(b)(h) of Arms Act, prosecution sanction has been obtained, from District Magistrate, Una. Final opinion, qua the cause of death of Sanjeev and Ravinder Kumar, is yet to be obtained.

10.23. Lastly, it has been apprehended that in case, Ramesh Chander Jaswal (applicant), is released on bail, he may coerce the witnesses; may also hamper the investigation and may not be available for the trial. It has also been mentioned, in the status report, that the applicant had committed a heinous crime and due to which, there is a lot of resentment in the area.

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

12. As per the stand taken by the complainant, in his statement, under Section 173 of BNSS, that when, Ravinder Kumar and complainant were taking tea at KC College Pandoga, then, Ravinder Kumar received the telephone of his uncle Kuldeep Singh, who has allegedly disclosed him that his parents were beaten by Ramesh Chand (applicant), Anuj Jaswal, Om Pakash and Hardeep Rana alias Honey, due to



the land dispute. Anuj Jaswal inflicted a Daraat blow on the finger of his father. Thereafter, he narrated the fact, how accused Deshdeep Jaswal, inquired from Hardeep Rana alias Honey, about the persons, who were involved, in the said scuffle/quarrel, upon which, Hardeep Rana alias Honey, made a sign towards both the deceased.

13. From the above facts, at this stage, involvement of applicant Ramesh Chander Jaswal, right from lodging of the FIR, till the submission of the charge sheet, before the competent Court of law has been found.

14. The seriousness of the offence is also one of the ingredients to consider the relief of bail. As per the status report, two persons were killed by co-accused Deshdeep Jaswal, by shooting them, with gun. According to the stand of the police, it was accused Anuj Jaswal, Ramesh Chander Jaswal and accused Deshdeep, who had chased Sanjeev Kumar (deceased) and accused Deshdeep Jaswal fired upon him.

15. Although, in this case, efforts have been made by learned counsel appearing for the applicant to demonstrate that at the relevant time, he was not present there, however,



the plea of alibi taken by the applicant would be proved from the cross examination of the prosecution witnesses or by giving other cogent evidence.

16. Moreover, at this stage, when, even complainant has not been examined, releasing the applicant, on bail, would give a wrong signal to the society, that after committing such heinous crime, the applicant is moving freely in the society. The apprehensions, which have been expressed by the police, in the status report, also cannot be said to be unfounded, at this stage.

17. At the time of deciding the bail application, the detailed discussions, about the merits of the evidence, so collected, by the prosecution should be avoided, as, the same would cause prejudice to the case of the prosecution, as well as, the case of the accused. As such, there is no occasion for this Court to pass any order in favour of the applicant, releasing him on bail. Consequently, the bail application is dismissed.

18. 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 bail application.

(Virender Singh)
Judge

November 28, 2025
(subhash)