

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.M.P.M. No. 1701 of 2026 a/w
Cr.M.P.M. Nos. 1712, 1713,
1717, 1732 & 1767 of 2026.
Date of decision: 25.09.2026

1. Cr.M.P.M. No. 1701 of 2026

Akhil Sharma ...Petitioner
Presently lodged in Model Central Jail,
Kanda, District Shimla, H.P.

Versus

State of Himachal Pradesh ...Respondent

2. Cr.M.P.M. No. 1712 of 2026

Inder Dev ...Petitioner
Presently lodged in Model Central Jail,
Kanda, District Shimla, H.P.

Versus

State of Himachal Pradesh ...Respondent

3. Cr.M.P.M. No. 1713 of 2026

Kamal Singh @ Tiger ...Petitioner
Presently lodged in Model Central Jail,
Kanda, District Shimla, H.P.

Versus

State of Himachal Pradesh ...Respondent

4. Cr.M.P.M. No. 1717 of 2026

Chaman Singh @ Shyama

...Petitioner

Presently lodged in Model Central Jail,
Kanda, District Shimla, H.P.

Versus

State of Himachal Pradesh

...Respondent

5. Cr.M.P.M. No. 1732 of 2026

Vijay Kumar

...Petitioner

Presently lodged in Model Central Jail,
Kanda, District Shimla, H.P.

Versus

State of Himachal Pradesh

...Respondent

6. Cr.M.P.M. No. 1767 of 2026

Room Singh

...Petitioner

Presently lodged in Model Central Jail,
Kanda, District Shimla, H.P.

Versus

State of Himachal Pradesh

...Respondent

Coram

Hon'ble Mr. Justice Vivek Singh Thakur, Judge.

Whether approved for reporting? ¹

¹ Whether the reporters of the local papers may be allowed to see the judgment?

For the Petitioner(s). *Mr. Manoj Pathak, Senior Advocate, with Mr. Parth Sagar and Mr. Vishal Thakur, Advocates in Cr.M.P.M. No. 1701 of 2026.*

Mr. Pankaj Mehta, Advocate, in Cr.M.P.M. Nos. 1712, 1713, 1717 & 1732 of 2026.

Mr. Alok Ranjan, Advocate, in Cr.M.P.M. No. 1767 of 2026.

For the Respondent: *Ms. Sharmila Patial, Additional Advocate General and Mr. Raj Negi, Deputy Advocate General.*

SI Hoshiar Singh, P.S. Kullu, present in person.

Vivek Singh Thakur, Judge

All these petitions, arising out of the same FIR No. 239 of 2021, registered in Police Station Sadar Kullu, are consolidated and are being decided together as common question of law and facts are involved in these petitions.

2 Petitioners have approached this Court, invoking provisions of Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (in short 'BNSS'), for enlarging them on bail in case FIR No.239 of 2021, dated 26.08.2021, registered in Police Station Kullu, District Kullu, H.P., under Sections 302, 307, 323, 325, 326, 201, 147, 148, 149, 440, 354, 354B and 109 read with Section 34 of the Indian Penal Code, Section 24 of Arms Act and Sections 3(1)(r),(s),(w) & 3(2)(va) of Scheduled Castes and

the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and they are in detention since 2021 as under-trial prisoners.

3 Status report stands filed, wherein facts and circumstances have been narrated in detail, indicating the role and manner in which offence was committed.

4 It has been stated in status report that after registration of the FIR, main challan was presented in the Sessions Court, Kullu on 22.11.2021. Thereafter, supplementary challan-I and supplementary challan-II were presented in the Court on 17.8.2022 and 24.3.2025 respectively.

5 It has been further stated in status report that there are total 98 witnesses in the case, out of which 13 witnesses have been examined and one witness has been given up and now 84 witnesses are yet to be examined and now all witnesses have been summoned by fixing the next dates for recording their evidence from 4.11.2026 to 5.12.2026.

6 After registration of FIR, petitioners were arrested in August/September 2021.

7 Petitioner Khimi Ram had approached this Court earlier also by filing Cr.MP(M) No. 1627 of 2024 which was dismissed on 4th October, 2024. The said order was assailed by Khimi Ram in the Apex Court by filing SLP(Criminal) No. 15620 of 2024 which was dismissed on

22.11.2024 with request to the Trial Court to proceed with trial expeditiously and with further observation that Khimi Ram petitioner will be entitled to revive his request for grant of bail in case of change in circumstances or if the trial gets prolonged due to reasons not attributable to the petitioner or co-accused.

8 Learned counsel for petitioners submit that in view of observations made by the Apex Court, petitioners are entitled to file and maintain the present petitions for enlarging them on bail as there is inordinate delay in completion of trial and there is no likelihood of completing the trial in near future especially keeping in view the past conduct of prosecution as well as its witnesses as the complainant was not examined for a considerable long time and her statement has been recorded only on 16.6.2025. However, even thereafter, no sincere efforts are being made by respondent-State to examine the witnesses so as to conclude the trial at the earliest and because of laxity on the part of State/prosecution, the petitioners are languished in jail since last about 5 years and trial is at the initial stage.

9 It has been submitted that charge was framed on 13.7.2022 and 4 witnesses were examined till 13.9.2022 and thereafter, for filing Revision Petition No. 490 of 2022 by one Lekh Raj, the proceedings were stayed in October/November, 2022 and that stay was vacated on

16.11.2023. Thereafter, matter has been listed for recording the evidence in Trial Court on numerous occasions, however till date only 13 witnesses have been examined. It has been submitted that on 2.5.2026 no witness was present on behalf of prosecution and matter was adjourned for 27.6.2026 but on that day also no witness was present and thereafter, matter was adjourned for 25.7.2026 for recording the evidence but on that day also, no witness was present and thereafter, matter has been fixed for recording the evidence of remaining 84 witnesses from 4.11.2026 to 5.12.2026. It has been submitted that keeping in view the past conduct, there is no possibility of examination of all prosecution witnesses on the next dates fixed by Trial Court and therefore, on account of detention from 5 years and non-completion of trial within reasonable period of 5 years and also for slow pace of examining the witnesses by prosecution, petitioners are entitled to be enlarged on bail.

10. Learned counsel for petitioners have also submitted that some of accused were enlarged on temporary bail by Court on the basis of various grounds, and those accused persons before expiry of bail period, had surrendered before the concerned Superintendent Jail, and during that, temporary release, no adverse activity was noticed or reported and therefore, in case petitioners are enlarged on bail at this stage, there is no possibility of absconding or influencing the witnesses.

11. Learned Deputy Advocate General has submitted that delay is not attributable to the prosecution as the trial could not proceed further during the period from October/November, 2022 till November, 2023 because of stay of proceedings granted by High Court in Revision Petition No. 490 of 2022 and further that now trial has been fixed for recording the evidence of all witnesses and thus, at this stage, no case is made out for enlarging the petitioners on bail on the ground of delay.

12. Learned counsel for petitioners submits that Revision Petition No. 490 of 2022 was not preferred by petitioners or any other accused against whom challan has been presented by police but was filed by one Lekh Raj against whom police has submitted the report in the High Court that no evidence was found to implicate said Lekh Raj. It has been submitted that when stay was granted by High Court, the petitioners or co-accused, not being the party to said Revision Petition, were not in a position to request for vacation of stay whereas State was party to the said Revision Petition but no request was ever made by the State to vacate the stay so as to continue the trial. Further that even after vacation of stay in November, 2023 only 9 witnesses have been examined in 3 years from 2023 to 2026 as 4 witnesses had already been examined before November, 2022.

13. It has been further submitted by learned counsel for petitioners that statement of main victim i.e. complainant Uma Devi has been recorded on 16.6.2025 as PW5 and therefore, there is no possibility of influencing her or extended any threat to victim/complainant.

14. To substantiate plea to enlarge the petitioners on bail, learned counsel for the petitioners have relied upon order dated 5.7.2023 passed in **Cr.MP (M) No. 1501 of 2023**, titled as **Ram Singh @ Kaka Vs. State of H.P.**, wherein accused under Section 302 IPC has been enlarged on bail on 5.7.2023 after remaining in jail for 3 years 2 months.

15. Learned counsel for the petitioners have also referred order dated 16.9.2023 passed in **Cr.M.P. (M) No. 1494 of 2023**, titled as **Rampal @ Ramphal Vs. State of H.P.**, wherein accused under Section 302 IPC has been enlarged on bail after remaining in custody for 4 years 9 months by considering plea of the petitioner regarding delay in trial.

16. Learned counsel for the petitioners have referred order dated 20.10.2023 passed in **Cr.M.P. (M) No. 2481 of 2023**, titled as **Sanma Vs. State of H.P.**, wherein accused under Section 302 IPC has been released on bail after 3 years 3 months detention considering the fact that only 22 witnesses out of 30 witnesses were examined by that time.

17. Learned counsel for the petitioners have further relied on order dated 4.11.2023 passed in **Cr.M.P. (M) No. 2618 of 2023**, titled as

Jasbir Singh Vs. State of H.P., wherein accused under Section 302 IPC has been released on bail after 3 years 5 months detention considering the fact that only 16 witnesses out of 39 witnesses were examined by that time.

18. Learned counsel for the petitioners have further relied on order dated 6.10.2023 passed in **Cr.M.P. (M) No. 2461 of 2023**, titled as **Balwinder Singh @ Kadu Vs. State of H.P.**, wherein accused under Section 302 IPC has been released on bail after 3 years 1 month detention considering the fact that only 12 witnesses out of 34 witnesses were examined by that time.

19. Learned counsel for the petitioners have further referred order dated 21.8.2023 passed in **Cr.M.P. (M) No. 1942 of 2023**, titled as **Robin Patrwai Vs. State of H.P.**, wherein accused under Section 302 IPC has been released on bail after 2 years 2 months detention considering the fact that only 10 witnesses out of 51 witnesses were examined by that time.

20. Learned counsel for the petitioners have further referred order dated 1.9.2023 passed in **Cr.M.P. (M) No. 1216 of 2023**, titled as **Rakesh Kumar Vs. State of H.P.**, wherein accused under Section 302 IPC has been released on bail after 4 years detention considering the fact that only 13 witnesses out of 47 witnesses were examined by that time.

21. Learned counsel for the petitioners have further relied on order dated 24.7.2023 passed in **Cr.M.P. (M) No. 1217 of 2023**, titled as **Kulveer Singh Vs. State of H.P.**, wherein accused under Section 302 IPC has been released on bail after 1 year detention considering the fact that no witnesses out of 30 witnesses were examined by that time.

22. Learned counsel for the petitioners have further relied on order dated 3.8.2023 passed in **Cr.M.P. (M) No. 1631 of 2023**, titled as **Mahammad Aadil Vs. State of H.P.**, wherein accused under Section 302 IPC has been released on bail after 2 years 5 months detention considering the fact that only 1 witness out of 50 witnesses were examined by that time.

23. Learned counsel for the petitioners have also referred judgment rendered by the Supreme Court in **Special Leave to Appeal No. 1627 of 2022**, titled as **Indrani Pratim Mukerjea Vs. Central Bureau of Investigation**, wherein accused under Section 302 IPC has been released on bail after 6 ½ years.

24. Reliance has also been placed upon order dated 15.2.2023 passed by the Supreme Court in **Special Leave to Appeal (Crl.) No. 11714 of 2022**, titled as **Mukesh Kumar Vs. The State of Rajasthan & another**, whereby an accused under Section 302 IPC was released on bail, after custody of 15 months, in case FIR No. 164 of 2020, dated

8.6.2020 registered under Section 307 IPC, but converted into Section 302 IPC on account of death of injured person on account of injuries caused in the incident of free fight, wherein cross FIRs were registered by and on behalf of both sides.

25. Further reliance has been placed on order dated 28.6.2023 passed in **Cr.M.P. (M) No. 1326 of 2023**, titled as **Daljeet Rana alias Kaka Vs. State of H.P.**, wherein co-accused in murder case was enlarged on bail after 1 year 6 months in case FIR registered for causing death by gun bullet fired by another co-accused.

26. Reliance has also been placed on order dated 29.8.2023 passed in **Cr.M.P. (M) No. 2085 of 2023, Ghanshyam Vs. State of H.P.**; order dated 13.10.2023, passed in **Cr.M.P. (M) No. 2540 of 2023**, titled as **Subhadra Kumari Vs. State of H.P.**; and order dated 18.10.2023 passed in **Cr.M.P. (M) No. 2606 of 2023**, titled as **Lata Devi Vs. State of H.P.**, in case of common FIR, wherein husband of Lata Devi had expired for receiving injuries in a quarrel took place in the family and deceased was under influence of intoxication.

27. Reliance has also been placed on behalf of petitioners on order dated 9.9.2024 passed by the **Supreme Court in Special Leave to Appeal (Cr.) No. 8523 of 2024**, titled as **Balwinder Singh Vs. State of Punjab & Another**, whereby petitioner, an accused under Section 302

IPC, despite having direct role in shooting the victim, was enlarged on bail after detention of 4 years 3 months with observation that trial was unlikely to be concluded on a near date, whereas out of 47 witnesses 21 prosecution witnesses have already been examined and 9 were given up and only 17 witnesses were to be examined.

28. Learned counsel for the petitioners have also referred order dated 6.10.2023 passed in ***Special Leave to Appeal (Crl.) No. 6505 of 2023***, titled as ***Praveen Rathore Vs. The State of Rajasthan & Another***, wherein petitioner, an accused under Section 302 and 120B IPC, after detention of 4 years 6 months was enlarged on bail by observing that crucial witnesses had already been examined and out of 76 witnesses 53 witnesses had already been examined with further observation that conclusion of trial will take some reasonable time.

29. Reliance has been placed on order dated 13.8.2024 passed by the Supreme Court in ***Special Leave Petition (CRL.) No. 8518 of 2024***, titled as ***Manishbhai Kalubhai Lathiya Vs. State of Gujarat***, wherein petitioner, an accused under Section 302 IPC, was enlarged on bail after detention of 2 years 9 months by considering delay in conducting the trial.

30. Reliance has also been placed on judgment of Bombay High Court dated 25.9.2024 passed in ***Criminal Bail Application No.***

1537 of 2021, titled as **Vipul Amrutlal Patel Vs. State of Maharashtra & Another**, reported in **2024(4) BomCR (Cri) 328**.

31. Order dated 26.11.2024 passed in **Cr.MP(M) No. 2530 of 2024**, titled as **Ashok Kumar @ Governor Vs. State of H.P.** has also been referred by learned counsel for the petitioners, wherein petitioner an accused under Section 302 IPC was enlarged on bail after detention of about 4 years 2 months by taking into consideration the fact that only 5 witnesses had been examined till then out of 38 witnesses and there was no likelihood of earlier conclusion of trial.

32. Order dated 3rd September, 2024 passed in **Cr.MP (M) No. 1584 of 2024**, titled as **Krishan Kumar Vs. State of H.P.** has also been referred by learned counsel for the petitioners, wherein petitioner an accused under Section 302 IPC was enlarged on bail after detention of 5 years 5 months by considering the fact that out of 48 witnesses only 16-18 witnesses had been examined and there was no likelihood of conclusion of trial in near future.

33. Reliance has been placed by learned counsel for the petitioners on order dated 18.9.2024 passed in **Cr.MP (M) No. 1804 of 2024**, titled as **Suryakant Vs. State of H.P.**, wherein petitioner, an accused under Section 302 IPC, has been enlarged on bail by co-ordinate Bench on the ground of delay in trial after custody of more than 3

years 10 months by taking into consideration the fact that there was no likelihood of conclusion of trial in near future as 23 witnesses were yet to be examined.

34. Reliance has been placed on order dated 14.6.2024 passed in ***Cr.M.P (M) No. 1103 of 2024***, titled as ***Akhil Kaushal Vs. State of H.P.***, wherein petitioner, an accused under Section 302 IPC, has been enlarged on bail after detention of 6 years by taking into consideration the fact that out of 25 witnesses only 12 witnesses had been examined and there was no likelihood of conclusion of trial in near future.

35. Learned counsel for the petitioners have put reliance on order dated 3.7.2024 passed by the Supreme Court in ***Criminal Appeal No. 2787 of 2024***, titled as ***Javed Gulam Nabi Shaikh Vs. State of Maharashtra and Another***, wherein petitioner, an accused under Section 489B, 489C, 120B read with Section 34 IPC for commission of offence of smuggling of consignment of counterfeit notes from Pakistan to Mumbai, has been enlarged on bail after detention of 4 years 5 months on the ground of delay in trial.

36. Reliance has also been placed on judgment dated 5.4.2024 passed by the Supreme Court in ***Criminal Miscellaneous Bail Application No. 7691 of 2023***, titled as ***Naresh Kumar Vs. State of***

Rajsthan, wherein petitioner, an accused under Section 302 IPC, has been enlarged on bail on the ground of delay in conclusion of trial.

37. Judgment dated 18.12.2024 passed by the Supreme Court in **SLP (Crl.) No. 12939 of 2024**, titled as **Siddhant @ Sidharth Balu Taktode Vs. The State of Maharashtra and Another**, has also been relied by learned counsel for the petitioners, whereby petitioner an accused under the provisions of Maharashtra Control of Organised Crime Act, 1999 has been enlarged on bail after detention of more than 5 years on the ground of delay in trial as despite 5 years of detention, charges have not been framed.

38. Learned counsel for the petitioners have placed reliance upon judgment passed by the Supreme Court in **Shaheen Welfare Assn. Vs. Union of India, (1996) 2 SCC 616: 1996 SCC (Cr.) 366** wherein it has been held that a person cannot be kept behind bars when there is no prospect of trial being concluded expeditiously with following observation:-

“8. It is in this context that it has become necessary to grant some relief to those persons who have been deprived of their personal liberty for a considerable length of time without any prospect of the trial being concluded in the near future. Undoubtedly, the safety of the community and the nation needs to be safeguarded

looking to the nature of the offences these undertrials have been charged with. But the ultimate justification for such deprivation of liberty pending trial can only be their being found guilty of the offences for which they have been charged. If such a finding is not likely to be arrived at within a reasonable time some relief becomes necessary.”

39. Learned counsel for the petitioners have placed reliance upon judgment of the Supreme Court in **Jagjeet Singh vs. Ashish Mishra, (2022) 9 SCC 321: (2022) 3 SCC (Cri) 560: 2022 SCC OnLine SC 453**, wherein it has been observed that no accused can be subjected to unending detention pending trial. Reference to following para has been emphasized:-

“40. Having held so, we cannot be oblivious to what has been urged on behalf of the respondent-accused that cancellation of bail by this Court is likely to be construed as an indefinite foreclosure of his right to seek bail. It is not necessary to dwell upon the wealth of case law which, regardless of the stringent provisions in a penal law or the gravity of the offence, has time and again recognised the legitimacy of seeking liberty from incarceration. To put it differently, no accused can be subjected to unending detention pending trial, especially when the law presumes him to be innocent until proven guilty. Even where statutory

provisions expressly bar the grant of bail, such as in cases under the Unlawful Activities (Prevention) Act, 1967, this Court has expressly ruled that after a reasonably long period of incarceration, or for any other valid reason, such stringent provisions will melt down, and cannot be measured over and above the right of liberty guaranteed under Article 21 of the Constitution (see Union of India v. K.A. Najeeb [Union of India v. K.A. Najeeb, (2021) 3 SCC 713, paras 15 and 17]).”

2.

40. Reliance has also been placed on the order dated 17.9.2021 passed by the Supreme Court in ***Chintan Vidya Upadhyay Vs. State of Maharashtra, SLP Criminal No. 2543 of 2021***, whereby an accused in custody for 6 years was enlarged on bail in a case registered for commission of offence punishable under Section 302 IPC.

41. Learned counsel for petitioners have also placed reliance of order dated 29.4.2026 passed by the Apex Court in ***SLP(Crl.) No. 7416 of 2026 titled Vaibhav Singh vs. State of Uttar Pradesh*** wherein the petitioner was enlarged on bail for prolonged trial resulting into 9 years detention as an under-trial prisoner.

42. Reliance has also been placed on judgment dated 24th February, 2026 passed by Division Bench of High Court of Kerala in ***Cr. Appeal No. 1731 of 2024, titled Satkunam @ Sabesan vs. Union of***

India whereby after detention of 4 years and 4 months, petitioner was enlarged on bail on the ground of delay in trial, who was facing charges under Section 120B read with Section 125 IPC, Section 120B IPC read with Sections 18, 20, 38, 39 and 40 of the Unlawful Activities (Prevention) Act, Section 120B read with Sections 7 and 25(1AA) of the Arms Act, 1959, Section 8(c) read with Sections 21(c), 23(c), 24, 27A, 28 and 29 of Narcotic Drugs and Psychotropic Substances Act and Section 125 IPC and Sections 18, 20, 38, 39 and 40 of UA(P) Act, after taking into consideration various judgments of the Apex Court in ***Union of India vs. K.A. Najeeb (2021 KHC OnLine 6045); Shoma Kanti Sen vs. State of Maharashtra (2024) KHC OnLine 6182); Athar Parwez vs. Union of India (2024 KHC 6719); Javed Gulam Nabi Shaikh vs. State of Maharashtra (2024 (9) SCC 813); Kapil Wadhawan vs. Central Bureau of Investigation (2025) KHC OnLine 8024); Mohd. Muslim Alias Hussain vs. State (NCT of Delhi) (2023) 18 SCC 166 and Chairman, Railway Board and others vs. Chandrima Das and others (2000)2 SCC 465.***

43. It has been submitted by learned counsel for the petitioners that the Apex Court in ***Criminal Appeal No. 2757 of 2026 arising out of SLP(Crl) No. 83 of 2024 titled Suhail Ahmad Thokar vs. National Investigation Agency*** has granted bail to the petitioner who was

accused under Sections 120B, 121A, 122 and 123 of the Indian Penal Code, 1860 and Sections 18, 18A, 18B, 20, 38 and 39 of the Unlawful Activities (Prevention) Act, 1967, for delay in trial vide order dated 22.5.2026 after detention of more than 4 years.

44. Reliance has been placed on an order passed by the Supreme Court wherein the Apex Court in ***Petition for Special Leave to Appeal (Crl.) No. 7502 of 2026, titled Sahil Manoj Machare vs. State of Maharashtra*** vide order dated 4.5.2026 has enlarged the petitioner/co-accused on bail under Section 302 read with Section 34 of Indian Penal Code after detention of more than 3 years.

45. It has been submitted by learned counsel for petitioners that the Apex Court in ***Petition for Special Leave to Appeal (Crl.) Nos. 10455-10456 of 2025, titled Ramnath Mishra @ Ramnath Mishra vs. Central Bureau of Investigation*** vide order dated 25.8.2025 has enlarged the petitioner/co-accused on bail after detention of more than 3 and a half years.

46. Learned counsel for the petitioners have submitted that the Apex Court in ***Balwinder Singh vs. State of Punjab and another*** reported in ***2024 SCC OnLine SC 4354*** has enlarged the petitioner/co-accused on bail after detention of more than 4 years.

47. Learned counsel for the petitioner(s) have also referred judgment dated 02.09.2026, passed in **Cr.M.P.M No. 550 of 2026**, titled **Khem Raj vs. State of Himachal Pradesh** along with **Cr.M.P.M. No. 1255 of 2026**, titled **Khimi Ram vs. State of Himachal Pradesh** and **Cr.M.P.M. No. 1296 of 2026**, titled **Sindhi @ Sindhu vs. State of Himachal Pradesh**, whereby co-accused in present matters have been enlarged on bail in the same and similar circumstances.

48. Taking into consideration the entire facts and circumstances, but without commenting on merits thereon and taking into account factors and parameters, as propounded by the Supreme Court and this Court, required to be considered at the time of adjudication of bail application, I am of the opinion that petitioners may be enlarged on bail in present case at this stage.

49. Accordingly, present petitions are allowed and petitioners are ordered to be enlarged on bail, subject to their furnishing personal bond(s) in the sum of ₹2,00,000/- (Rupees Two lakh only) each with two sureties each in the like amount, one of which, as undertaken by the petitioner(s) shall be local to the satisfaction of trial Court/Sessions Judge within two weeks, and upon such further conditions as may be deemed fit and proper by the trial Court, including the conditions enumerated

hereinafter, so as to assure presence of the petitioners at the time of trial:-

(i) That the petitioners shall make themselves available to the Police or any other Investigating Agency or Court in the present case as and when required;

(ii) that the petitioners 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 Court or to any police officer or tamper with the evidence. They shall not, in any manner, try to overawe or influence or intimidate the prosecution witnesses;

(iii) that the petitioners shall not obstruct the smooth progress of the further investigation, if any and/or trial;

(iv) that the petitioners shall not commit the offence similar to the offence to which they are accused or suspected;

(v) that the petitioners shall not misuse their liberty in any manner;

(vi) that the petitioners shall not jump over the bail;

(vii) that in case petitioners indulge in repetition of similar offence(s) then, their bail shall be liable to be cancelled on taking appropriate steps by prosecution;

(viii) that the petitioners shall keep on informing about the change in address, landline number and/or mobile number, if any, for their availability to Police and/or during trial; and

(ix) the petitioners shall not leave India without permission of the Court.

50. It will be open to the prosecution to apply for imposing and/or to the trial Court to impose any other condition on the petitioners, enlarged on bail, as deemed necessary in the facts and circumstances of the case and in the interest of justice and thereupon, it will also be open to the trial Court to impose any other or further condition on the petitioners as it may deem necessary in the interest of justice.

51. In case the petitioners, either themselves or through co-accused hamper the progress of trial, or cause delay in the culmination of trial or violate any conditions imposed upon them, then their bail shall be liable to be cancelled by the Trial Court itself. In such eventuality, prosecution may approach the competent Court of law for cancellation of bail, in accordance with law.

52. Learned trial Court is directed to comply with the directions issued by the High Court, vide communication No.HHC.VIG./Misc. Instructions/93-IV.7139 dated 18.03.2013.

53. Observations made in these petitions hereinbefore shall not affect the merits of the case in any manner and are strictly confined for the disposal of the bail applications.

54. The petitions stand disposed of in the aforesaid terms.

**(Vivek Singh Thakur),
Judge.**

25th September, 2026
(Susheel)