

Hoshyar Singh vs. State of Himachal Pradesh

**Cr.MP No.2889 of 2026 in
Cr.MP(M) No.2953 of 2024**

17.07.2026 Present Mr. Vikrant Thakur, Senior Advocate with Mr. Shubham Singh Guleria, Advocate, for the applicant/petitioner.

Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocate Generals with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the respondent-State.

By way of instant application filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, permission has been sought by the applicant/petitioner to travel abroad during the pendency of the investigation in case FIR No.40 of 2024, dated 02.08.2024 under Sections 120-B, 171-C, 171-E of IPC read with Section 7 and 8 of the Prevention of Corruption Act, registered at Police Station, Boileauganj, District Shimla, Himachal Pradesh.

It is averred in the application, which is duly supported by an affidavit, that petitioner, who is an Ex-MLA, is serving as an Additional Director of Amarson Engineering Private Limited, a company duly incorporated under the Companies Act, having its registered office at Mumbai and Maharashtra. Since Twiflex Limited, United Kingdom, has invited the applicant/petitioner, in his official capacity representing Amarson Engineering Private Limited, to visit United Kingdom for the purpose of attending official business meeting and technical discussion, he intends to go to United Kingdom and Germany.

Pursuant to the notice issued in the instant application, though respondent-State has filed reply, but same is not on record. Registry to trace and place the same on record, if in order. During the proceedings of the case, Mr. Rajan Kahol, learned Additional Advocate General, has made available copy of the reply to this Court, perusal whereof reveals that payer made on behalf of the applicant/petitioner has been opposed on the ground that he is involved in a heinous crime, having adverse impact on the society. It is further averred in the reply that since applicant/petitioner has failed to co-operate during the investigation, investigating agency has not been able to file charge- sheet till date and there is every likelihood of his fleeing from justice.

Having heard learned counsel for the parties and perused the material adduced on record, this Court find that there is no dispute with regard to applicant-petitioner's status as an Additional Director of Amarson Engineering Private Limited. If it is so, this Court has reason to believe and presume that petitioner is required to visit United Kingdom and Germany for the purpose of attending official business meeting w.e.f. 20.07.2026 to 28.07.2026.

True it is that while granting interim bail, this Court had imposed a condition that applicant- petitioner shall not leave the country without the permission of the Court, but this Court finds that for the last two years, investigating agency has not

been able to complete the investigation and there is nothing on record suggestive of the fact applicant-petitioner failed to make himself available for investigation as and when required. It is also not in dispute that in past he did not violate the conditions imposed by this Court, while permitting him to go abroad. Rather, he, after having attended convocation of his daughter in Australia, not only surrendered well within time, but also made himself available for investigation. Since applicant petitioner is a respected member of the society having substantial movable and immovable property situate in the state of Himachal Pradesh as well as other parts of the country, there appears to be no justification to deny the permission to the applicant-petitioner to travel abroad.

Though, details with regard to flight tickets as well as place of stay in United Kingdom and Germany have not been mentioned in the application, but learned counsel representing the petitioner states that as and when permission is granted by this Court, applicant/petitioner, after having purchased flight tickets, shall not only furnish flight details, but shall also make available complete address of his stay at United Kingdom and Germany.

Consequently, in the view the above, the present application is allowed and applicant/petitioner is permitted to visit United Kingdom and Germany w.e.f. 20.07.2026 to 28.07.2026 enabling him to attend the business meeting, but permission, as

has been granted hereinabove, shall be subject to furnishing flight details as well as place of stay in United Kingdom and Germany with the investigating Officer.

Needless to say, applicant/ petitioner shall report to the Investigating within two days of return at the concerned police station, failing which investigating agency would be at liberty to take appropriate action in accordance with law. The application stands disposed of.

(Sandeep Sharma)
Judge

July 17, 2026
(shankar)