



Deshinder Khanna vs. State of H.P and others a/w connected matters

CWP No. 83 of 2018 a/w CWPIIL Nos. 13 of 2015, 27 of 2017, 28 of 2021 and 53 of 2025 & CWP No. 5542 of 2022 and 359 of 2019

[Item D-9]

24.06.2026 Present:

CWP No. 83 of 2018

Mr. Deven Khanna, Advocate, for the petitioner.

Mr. Sidharth Jalta, Deputy Advocate General, for respondent No.1 to 5-State.

CWPIL No. 13 of 2015

Court on its own motion.

Mr. Sidharth Jalta, Deputy Advocate General, for respondents No.1 to 3-State.

Mr. Tara Singh Chauhan, Senior Advocate with Mr. Surya Chauhan, Advocate, for respondent No.14.

CWPIL No. 27 of 2017

Ms. Devyani Sharma, Senior Advocate as Amicus Curiae with Mr. Shivam Sharma, Advocate.

Mr. Ashwani Pathak, Senior Advocate with Mr. Dev Raj, Advocate, for respondents No.1 and 2.

Mr. Harish Sharma, Senior Panel Counsel, for respondent No.5-Union of India.

Mr. Abhishek, Advocate for Ms. Rachna Kuthiala, Advocate for applicants in CMP No.10638 of 2017.

CWPIL No. 28 of 2021

Mr. Vishal Thakur, Advocate for Mr. Vikrant Thakur, Advocate.

Mr. Sidharth Jalta, Deputy Advocate General, for the respondents-State.

CWPIL No. 53 of 2025

Court on its own motion.

Mr. Sidharth Jalta, Deputy Advocate General, for respondents No.1 to 4.

Mr. Ashwani Pathak, Sr. Advocate, with Mr. Dev Raj, Advocate, for respondent No.5.

CWP No. 5542 of 2022

Ms. Srishti Chauhan and Ms. Pratiksha Chandel, Advocates, for the petitioner.

Mr. Sidharth Jalta, Deputy Advocate General, for the respondents/State.

CWP No. 359 of 2019

Mr. Amit Singh Chandel and Mr. Tijender Singh Advocates, for the petitioner.

Mr. Sidharth Jalta, Deputy Advocate General, for the respondents/State.

CWPIL No. 53 of 2025

The present case is a classical case of abject surrender by the Deputy Commissioner, Kullu, and the Superintendent of Police, Mandi and inspite of the fact that this Court is seized of a serious issue regarding rave parties in Mandi and Kullu way back year earlier on 15th July, 2025. While dealing with other matters, the present CWPIL No. 53 of 2025 had been registered by noting as under:-

“6. CWPIL No. 53 of 2025 has also been registered and put up, whereby the Himalayan Environment Protection Society, Kullu, has brought to our notice that there are “Rave Parties” happening at Kasol, Jibhi, Manali and other parts of Kullu, which are being organized in the name of Tourism. It has been pointed out that without the shelter of big wigs and political patronage, these parties cannot be organized as entry tickets are starting from Rs.5000/- to Rs.7,00,000/- and the videos of these parties are available on the website and drugs are openly available at such events.

8. Response be filed by the State regarding the following aspects:

(i) How many FIRs are lodged in Mandi and Kullu Districts regarding the issues of "Rave Parties" and how many people have been arrested and their age brackets?

(ii) Whether any organizers as such have been identified and whether inquiry has been made as to the income, which is being generated from these "Rave Parties" and how this income is being distributed amongst the organizers?

(iii) Whether any action has been taken to confiscate or attach the property of such organizers?"

The said observations had come on account of the fact that we were already seized of the issue of NDPS cases and the fact that the State was putting forth that it was projecting a "Drug-Free Himachal App" under the toll-free Nasha Nivaran Helpline 1908, projecting that the number of NDPS cases had been reduced. On 5th May, 2026, we had noticed that the affidavit filed by the Superintendent of Police, Mandi, did not inspire any confidence and he had been directed to file a fresh affidavit. Apparently, no affidavit had been filed by the Superintendent of Police, Kullu.

During the vacation on 09.06.2026, it had come to the notice of this Court, through the Vacation Bench, that newspapers had reported that thousands of revellers had converged at Mini Israel in Kasol and rave culture had returned to Parvati Valley under the nose of the Government being organized at Green Forest-I and Green Forest-II from 7.6.2026 to 11.6.2026 and were being promoted aggressively by the organizing companies. It was apparently noticed that,

on payment of amounts ranging from Rs.10,000/- to Rs.16,000/- per participant, visitors from as far as Bangalore, Hyderabad, Goa, Delhi, Chandigarh and overseas destinations like Israel were flocking to the venue. Resultantly, report from the Secretary, District Legal Services Authority and necessary affidavits from the concerned Deputy Commissioner, District Kullu, and the Superintendents of Police were called for.

The report of the Secretary, District Legal Services Authority, who had visited the spot on 9th June, 2026, would go on to show that the fears of the Court, as such, stood confirmed, as the events were being organized by one Yashpal and one Ishwar Singh, who had obtained sound permissions from the SDM concerned on 6th June, 2026 (Annexures A-1 & A-2). In spite of the fact that there was a report by the DSP dated 5th June, 2026 regarding police clearance for the issuance of the sound permissions, and, it had been reported that the possibility of consumption, trafficking of narcotic drugs and psychotropic substances, and other unlawful activities by unscrupulous elements, could not be ruled out. The venue was stated situated at a distance of 5.5 to 6 kilometres from Kasol market and was an isolated place surrounded by forest, there was also private security arranged alongwith 50 camping tents and approach was only by 4 wheel driven vehicles. The relevant part of the report reads as under: -

"This report is being submitted on the basis of the information furnished and assurances provided by the organizers during the enquire. Compliance with all statutory provisions safety protocols, environmental norms, sound regulations, and conditions imposed by the competent authorities shall remain the sole responsibility of the organizers. Furthermore, the proposed venue is situated in a comparatively isolated/jungle area and a gathering of approximately 3,000-3,500 persons is anticipated.

Further, the SHO, Police Station Manikaran has submitted that considering the nature and location of the event, the possibility of consumption or trafficking of narcotic drugs and psychotropic substances, as well as other unlawful activities by unscrupulous elements, cannot be ruled out entirely Keeping in view the limited manpower presently available at Police Station Manikaran, it may not be practically feasible to maintain continuous and effective surveillance over each individual attendee during the course of the event. The competent authority may take the above facts into consideration while deciding the request for grant of permission.

Apart from above, SHO, Police Station Manikaran has further submitted vide his letter No 2386/5A dated 05.06.2026, that the venue is situated at a distance of approximately 5.5 to 6 kilometres away from the Kasol market and is a secluded place surrounded by forest. There are two adjoining grounds, namely Green Forest-1 and Green Forest-II. carrying capacity of around 2500 to 3000 persons and 2000 persons, respectively Both the venues are covered with tin sheds and tented structures. As per the organizers, 20 private security personnel comprising 15 male and 5 female will be deployed for the event. Around 50 camping tents have been arranged there for accommodation of the guests etc. 10-15 CCTVs have been installed in the periphery of the venue. For electricity hackup DG sets have also been arranged. The road heading towards the venue of event is a kacha road and to ply over this route only 4-4 vehicle is needed. Due to situated at a distance of around 6 kilometres away from the main road and having kocha road track, there are operational challenges in event of any emergent situation especially during night hours.

It is, therefore, requested that in view of the aforementioned facts and the report submitted by the SHO, Police Station Manikaran, the feasibility of consumption of narcotic drugs and psychotropic substances as well as other unlawful activities by the mischievous elements cannot be ruled out entirely, during the aforementioned event.”

It has been mentioned in the inspection report as such, that there was a huge banner which also displayed the dates on which the events were being organized, and the necessary photographs of the time table had also been appended alongwith the background of the stage. The time table would also go on to show that the timings of the events ranged from 7:00 O'Clock to 11:00 O'Clock at night, which was beyond the permitted time of 10:00 P.M. granted by the SDM. It was only on account of the order passed by the Vacation Judge that the police reached the venue on the nights of 9th and 10th June, 2026, and the parties were discontinued. Two FIRs, bearing Nos. 49 and 50 of 2026, were registered and the sound permission was thereafter cancelled.

The report further shows that a large refrigerator's meant for stocking beer bottles and ice cubes, etc. was present at the venue, and a considerable number of liquor bottles were recovered. Apart from this, cigarette buds, perfect rolls and rolling papers were also found. It is worth mentioning that perfect rolls and rolling papers are used for filling the mixture of cannabis and tobacco. It was also found that CCTV cameras had been installed at the venue and, therefore, the Secretary

District Legal Services Authority had directed that the DVR, in which the recordings were stored, be preserved. The DVR was also recovered from the spot and handed over to ASI Param Chand of Police Station Manikaran, who had accompanied the team during the visit.

The area of the venue was sufficient to accommodate about 4,000 to 5,000 persons and there were 8 to 10 temporary toilets. Apart from the above, it was also found that two tourists had been nabbed from the spot in possession of cocaine and LSD in connection with the FIRs in question. One foreign national, namely Daria Kuzminykh, a resident of Russia, who was a D.J. at the event, was suspected to have died due to a drug overdose, for which a post-mortem examination was recommended.

The relevant portion of the report of the Secretary, District Legal Services Authority reads as follows:-

"6. Whether necessary permission were sought by the organizers from competent Authorities/Administration: The aforementioned organizers Yashpal and Ishwar Singh were approached who appeared through their counsels Advocate Shri Harish Sharma. They only produced the letter of sound permission while it was observed by the undersigned during visit that Liquor was also served at the venue by installing exclusive stall with having big refrigerators to stock beer bottles and Ice Cubes etc. This fact is substantiated from the considerable amount of empty liquor bottles recovered from the spot. In other words, it can be apparently maintained that the organizers were not having due permit to serve the liquor at the venue. (Photographs annexed). Annex.05 (04 pages)

7. What kind of objectionable material was collected from spot during the inspection:- During the visit, me and my team

minutely searched the place in and out and discovered empty liquor bottles (including beer bottles and whiskey bottles), cigarette buds, perfect rolls and rolling papers. It is worth mentioning that perfect rolls and rolling papers is used for filling the mixture of the Cannabis and Tobacco and to consume the same by lighting it to feel ecstasy. This establishes the fact that intoxicating psychotropic substances were also consumed at the venue on large scale. Besides that, it is also discovered that CCTV Cameras were also installed at the venue, so, the undersigned directed to preserve its DVR in which the recording was saved. The DVR was also recovered from the spot which was handed over to the ASI Param Chand from Manikaran police who was also associating us during the visit. A Separate Seizure memo was prepared over which Para Legal Volunteers namely Rajesh and Ses Ram, associated with this office, appended their signature as witnesses. (Photographs attached). as Annex. 6 & 7.

8. Observations made during visit: During the visit, it was observed that a huge stage was installed at the venue with having an exclusive space for DJ and high decibal/loud music system. Besides that, it was also observed that area of the venue was sufficient to accommodate 4000-5000 people. Further, it was also found that 8-10 temporary toilets (each) were also installed to cater to the requirement of huge gathering (Photographs attached). as Annex.8

9. Casualties/patients reported with alleged history of Drug abuse or Drug over dose: As reported to this office by the Chief Medical Officer, Kullu no such patient was brought for treatment in either of their establishment in Kasol. However, one foreign national named Daria Kuzminykh a resident of Russia was suspected to have died due to drug over dose for which postmortem was recommended. Final report regarding actual cause of death is awaited. (Report of CMO annexed) as Annex. 9 and Medical report Annex. 10

10. Whether any FIR has been registered by the local police: Yes, two FIRs bearing number 49/26 and 50/26 were registered by local police against two tourists who were nabbed from the spot with having cocaine and LSD (ecstasy pills), in their possession (record annexed). Annex 11 and Annex. 12.”

The post-mortem of the said person namely Daria Kuzminykh has also appended as Annexure-10.

The compliance affidavit has been now been filed by Anurag Chander Sharma, the Deputy Commissioner, Kullu. The justification sought to be made is that no permission for rave parties had been granted by the District Administration under the name of tourism and that the permission granted at Green Forests-I and II at Grahan, Kasol, had been cancelled on 10th June, 2026, once it was related to the use and possession of drugs, directions were issued on the basis of intelligence inputs for inspection and checks. Justification has also been made that tourism is the mainstay of the economy, and, the office has further submitted that the imposition of excessive restrictions on stakeholders engaged in tourism activities would adversely affect the sector. The detailed Standard Operating Procedures (SOPs) had been issued on 5th May, 2026, regarding the organization of party events and the levy of cess and taxes, has been annexed as Annexure D-10/3. Justification has also been made that the District Administration is making all possible efforts to curb offences under the NDPS Act in District Kullu and, for curbing the dissemination of misleading information and unauthorized parties through media platforms, directions had been issued to remove hoardings, boards and posters and to monitor social

media platforms for initiating action under the provisions of the Information Technology Act and other applicable laws.

In response, the compliance affidavit of the Superintendent of Police, Mandi, would go on to show that details have been furnished regarding 653 FIRs relating to possession of various types of NDPS substances from the years 2021 to 2026 in District Mandi, however, presently we are not concerned with the said district. It has also been stated that during the period 1.1.2026 to 3.6.2026, 340 information were received through the "Drug-Free Himachal App", which were forwarded to the concerned Police Stations with directions to take appropriate action against the accused, and that the organization of rave parties is being strictly proceeded with.

The affidavit filed by Madan Lal, HPS, Superintendent of Police, Kullu, seeks to justify that permission had been sought by the organizers for a sound system/music event and for entertaining guests at the camping sites, namely Green Forest-I and Green Forest-II. It is admitted that the Deputy Superintendent of Police, Headquarters, Kullu, had been directed to conduct a field inquiry along with the local administrative authorities and submitted his report dated 5th June, 2026, which has also been reproduced above. The said report was forwarded to the SDM but sound permission was granted on 6th June, 2026. Inputs were received on 9th June,

2026, regarding the organization of unauthorized rave parties in the Grahan area of Manikaran by persons who had reportedly arrived from Goa. Consequently, a raid was conducted on 9th June, 2026, and necessary officials were deputed for obtaining blood samples. It has been mentioned that no CCTV camera was found to be functional, which is in contradiction to the report of the Secretary, DLSA, who had already got the necessary DVR preserved, as noticed above. It was found that most of the persons were intoxicated and had to be evacuated to Kasol and, resultantly, the sound permission was cancelled.

The above sequence of events is sufficient to show that had there not been an intervention by the Vacation Bench on 9th June, 2026, the party would have merrily continued from 7th to 11th June, 2026, on the strength of the tacit permission of the SDM, Deputy Commissioner and the Superintendent of Police. It is also apparent that even though an adverse report by a competent officer as senior as the Deputy Superintendent of Police had been received, recommending that permission should not be granted on account of the apprehended organization of rave parties and unauthorized activities, apart from large-scale consumption of drugs, permission was nevertheless granted. Thus, it appears that both the officers, as also the concerned SDM have failed in their duties in

maintaining public order and rather facilitated the organization of large-scale rave parties.

This cannot be ignored, especially in view of the questions formulated earlier on 15th July, 2025. It is obvious that when large-scale parties involving 4,000 to 5,000 persons are organized on payment of high entry fees, the same constitutes a commercial venture. It is difficult for us to accept that this was done without the connivance of the local administration. Resultantly, we are of the considered opinion that the knee-jerk reaction now sought to be justified, namely that raids were conducted on 9th June, 2026, and that office orders were passed by the Superintendent of Police directing random sampling of attendees and requiring the DSP (Headquarters) to ensure thorough checking at the spot, was undertaken only after the orders passed by this Court.

The medical officers were deputed from the medical staff on 9th June, 2026, which apparently occurred only after the Vacation Bench of this Court had taken cognizance of the matter and passed necessary directions for inspection of the site. It is thus apparent that all the three officials in question are required to be proceeded against departmentally. The matter also requires investigation into whether there was any tacit permission by the authorities and collusion regarding the commercial organization and large-scale consumption of drugs by the two organizers who had obtained permission.

The matter deserves to be investigated keeping in mind the queries raised in the order dated 15.07.2025 at the highest level by an officer not below the rank of Deputy Inspector General of Police.

It is also to be noticed that the Superintendent of Police had sought additional personnel vide letter dated 12th June, 2026, when the event was already over, though permission had been sought much earlier and there was an adverse report as far back as 5th June, 2026. The organization of such parties not only spoils the local environment, but the residents of the area also have to face hordes of intoxicated tourists. Issues of law and order fall within the domain of the officials concerned and, apparently, the same has not been addressed with the requisite diligence, rather it smacks of collusion with the organizers and Officers at the District level.

Resultantly, keeping in view the above, the State shall take necessary action and shall, firstly, transfer all the three officers within a period of one week from today. State shall thereafter proceed with in accordance with law, as observed above by lodging the necessary FIR and setting up the Special Investigating Team initiating departmental proceeding against the said three officers. Such directions are necessary to restore administrative confidence and, therefore, it is necessary that the Superintendent of Police of IPS cadre be posted at Kullu, and who shall be part of the S.I.T.

List on 6th August, 2026 for compliance.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

24th June, 2026
(Tarun Singh)

High Court of J&P