

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-65192 of 2024(O&M)

Date of Order:25.08.2025

Hassan Din @ Hasnu @ Hasandin ..Petitioner
Versus

State of Punjab and another ..Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Manoj R. Sharma, Advocate, for the petitioner.
Mr. Hardeep Singh Wadhwa, DAG, Punjab

SHALINI SINGH NAGPAL, JUDGE

1. Petitioner prays for grant of regular bail in FIR No.152, dated 25.09.2024, registered under Section 64 of Bhartiya Nyaya Sanhita (BNS), 2023, Police Station Mukerian, District Hoshiarpur.
2. Prosecutrix made statement to the police on the lines that she was a householder and lived in a Dera, in the land of Madinpur, resident of Billa, along with her husband and three daughters. On 24. 09.2024, at about 10:30pm, her husband was away for work. Hasnu son of Saif Ali resident of Mansoorpur, her husband's uncle visited their house and tried to get friendly with her. When she refused, he scuffled with her. In the meanwhile, her husband arrived, Hasnu quarreled with him and left. After taking dinner, when she, her husband and daughter Sofia were lying on a bed, in the night of 25.09.2024 at about 2:30 am, three persons entered the house. Two of them were wearing masks and the third was Hasnu son of Saif Ali. Those two persons caught hold of her husband while Hasnu dragged her outside and forcibly made physical relations. During this time, one of the unknown persons caught her arm tightly. Her husband freed himself, raised alarm.



Thereafter, all three of them ran away. Legal action was paid for.

3. Learned counsel for the petitioner submitted that after framing of the charge on 10.07.2025, statement of the prosecutrix, aged 28 years and that of her husband had been recorded during trial. Both witnesses were declared hostile and had not supported prosecution case. He further submitted that the case was got registered on account of some misunderstanding and petitioner was in custody since long, therefore, he deserved to be enlarged on regular bail.

4. Learned State counsel has opposed the prayer for bail and has placed on record custody certificate.

5. As per custody certificate, petitioner is in custody in the case for the last more than 10 months. Certified copies of statements of prosecutrix and her husband, alleged eye witness of the incident, have been placed on record. Both have not supported prosecution case. There is, thus, now no prospect of the petitioner influencing the witnesses. Antecedents of the petitioner are clean. He has a permanent abode and there is no apprehension expressed that he will evade the process of law. In these circumstances but without commenting on the merits of the case, he is ordered to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

6. All the pending miscellaneous applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

25th August, 2025

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No