



CRM-M-28555-2025(O&M)

1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

209

CRM-M-28555-2025(O&M)

Date of Decision: 14.07.2025

Husandeen @ Hasan Din

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Ms. Sandeep Sharma, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.44 dated 19.02.2024, under Sections 363, 366-A, 149 IPC (Sections 365, 120-B, 376-D, 354-A IPC and Sections 4 and 8 of POCSO Act added lateron), registered at Police Station Dasuya, District Hoshiarpur.

2. This Court on 26.05.2025 while issuing notice of motion, directed the petitioner to join investigation and passed the following order:-

“Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.44 dated 19.02.2024, under Sections 363, 366-A, 149 IPC (Sections 365, 120-B, 376-D, 354-A IPC and Sections 4 and 8 of POCSO Act added lateron), registered at Police Station Dasuya, District Hoshiarpur.

2. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated on the statement of the complainant-brother alleging that the prosecutrix was kidnapped and thereafter raped by the two other co-accused. Qua the petitioner the only allegation is of being present in the car and facilitating kidnapping of the prosecutrix. He submits that earlier also in the year



2022, FIR No.33 dated 26.05.2022, under Sections 366, 363 and 120-B IPC at Police Station Tibber, District Gurdaspur on the similar set of allegations was registered by the brother of the victim against 5 other persons, all of who stand acquitted. The other co-accused have also been granted concession of regular bail vide orders passed by this Court in **CRM-M-2374-2025**, **CRM-M-6340-2025** and **CRM-M-026020-2025**.

3. Notice of motion.
4. Ms. Guramrit Kaur, DAG, Punjab waives service of notice on behalf of the respondent-State and Mr. Manoj R. Sharma, Advocate has put in appearance on behalf of respondent No.2 and files his power of attorney in Court today, which is taken on record.
5. List on 14.07.2025.
6. In the meantime, arrest of the petitioner shall remain stayed. He shall join investigation before the Investigating Agency/Officer and shall also abide by the following conditions as envisaged under Section 482(2) BNSS:-

- 1) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.
- 2) That the petitioner 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 from disclosing such facts to the court or to any police officer.
- 3) That the petitioner shall not leave India without prior permission of the Court..”

3. Learned State counsel on instructions from ASI Gurbachan Singh -Investigating Officer(s), submits that in compliance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation in the present case.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 26.05.2025 passed by this Court, is hereby made absolute.



CRM-M-28555-2025(O&M)

3

5. This order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

7. The accused/petitioner 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 or her from disclosing such facts to the Court or to any police officer.

8. The accused/petitioner shall not leave India without prior permission of the Court.

9. The accused/petitioner shall join the investigation as and when called by the police.

10. It will be open to the police or the Investigating Agency to move to this Court for a direction under Section 483(3) of BNSS (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

(KIRTI SINGH)
JUDGE

14.07.2025
Kapil

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No