



2026:AHC:191726

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 23687 of 2026

Chhatrapal @ Laturi @ Laturi Baba @ Kaushal
Giri

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Vishvendra Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Vishvendra Singh, learned counsel for the applicant, Sri Roshan Kumar Singh, learned A.G.A. for the State and perused the record.
2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 68 of 2026, under Sections 137(2), 65(1), 74, 351(2) of B.N.S. and Section 5(f), 5(j)(2), 5(1)/6 of POCSO Act, Police Station Dauki, District Agra, during the pendency of the trial.
3. In pursuance of the order of this Court dated 20.07.2026, learned A.G.A. has produced the FSL report regarding the origin of the pregnancy of the victim. As per the said report, the origin of the pregnancy of the victim could not be determined due to insufficient generation of the DNA profile.
4. Contention of learned counsel for the applicant is that prior to the lodging of the present FIR, the father of the victim had lodged an FIR on 02.09.2025 as Case Crime No. 332 of 2025, under Sections 137 and 87 of the B.N.S., Police Station Bilaspur, District Gurugram (Haryana), wherein it was alleged that the applicant, being a close relative, persuaded the daughter of the first informant to take gurudakshina from the applicant, who is a self-claimed godman, to get her admitted to his Ashram. Subsequently, the victim girl was returned back and a final report was submitted after considering the statements of the victim and the first

informant. Thereafter, the present FIR was lodged alleging that the applicant had again enticed away the daughter of the first informant and, when the victim returned, she was found to be pregnant. The victim disclosed that the applicant had administered sedative injections and drugs to her and committed rape on her repeatedly. In her statements recorded under Sections 180 and 183 of the BNSS, the victim made specific allegations that the applicant as well as co-accused Bhoopi had kept her forcibly confined at the Ashram, administered sedatives through injections and committed rape upon her on several occasions, which resulted in her pregnancy and she is having pregnancy of about three months. However, the pregnancy was terminated on 25.04.2026. It is further submitted that the victim herself had left her house along with the applicant and she is about 17 years of age. There is no material against the applicant to establish that he had committed rape upon the victim. It is further submitted that the applicant has explained his criminal history of one case. It is also submitted that the charge-sheet has been filed in the present case and, therefore, there is no requirement for further custodial interrogation. The applicant is a law-abiding citizen and has been languishing in jail since 04.05.2026. In case the applicant is granted bail, he will not misuse the liberty of bail and will cooperate in the trial proceedings.

5. Per contra, learned A.G.A. has vehemently opposed the prayer for bail and submitted that the victim aged about 15 years, in her statements recorded under Sections 180 and 183 of the BNSS, made specific allegations that the applicant and co-accused Bhoopi administered sedatives and drugs to her and committed rape upon her in the Ashram of the applicant. It is further submitted that when she tried to talk to her parents, she was mercilessly beaten. After being subjected to rape, the victim fell ill and was admitted by the applicant in Ganga Ram Hospital. After being discharged from the hospital, she was again subjected to rape after being administered drugs through injections. Therefore, the applicant is not entitled to be released on bail.

6. Considering the entire facts and circumstances of the case, the submissions of learned counsel for the parties, and taking into account the statement of the victim recorded under Sections 180 and 183 of the

BNSS, coupled with the fact that the pregnancy of the victim was terminated on 25.04.2026, though the origin of the pregnancy could not be determined due to insufficient generation of the DNA profile, this Court is not inclined to release the applicant on bail.

7. Accordingly, the bail application filed on behalf of the applicant is hereby **rejected**.

8. Application, if any, stands **disposed of**.

9. It is surprising that despite the availability of the fetus of the victim, the FSL, Agra, has submitted a report stating that, due to insufficient generation of the DNA profile, the source of DNA of the fetus could not be traced, which, prima facie, appears to be incorrect and raises serious concerns regarding the competence of the concerned Scientist of the FSL, Agra, or the possibility of some oblique motive in preparing such kind of report.

10. Accordingly, the Additional Director General (Technical Services), U.P., Lucknow is directed to conduct an enquiry against the Scientist who prepared the said report. While conducting the enquiry against the concerned Scientist of the FSL, Agra, the Additional Director General (Technical Services), U.P., Lucknow shall also take into account the fact that once the fetus of the victim and the blood sample of the applicant were available with the FSL, Agra, it is difficult to understand how the source of DNA of fetus could not be determined on the ground of insufficient generation of the DNA profile.

11. Let a copy of this order be communicated to the **Additional Director General (Technical Services), U.P., Lucknow**, through the **Registrar (Compliance)**.

(Arun Kumar Singh Deshwal,J.)

September 14, 2026
SA