

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-31197 of 2011
Date of Decision : 27.4.2015

Chiman Singh and othersPetitioners

Vs.

State of Punjab and anotherRespondents

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CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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Present : Mr. P.P.S. Duggal, Advocate for the petitioners.
Ms. Anmol Grewal, AAG, Punjab.
Mr. M.S. Sidhu, Advocate for respondent no.2.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Learned counsel for the petitioners, at the very outset, fairly states that he does not intend to press this petition for the purpose of quashing of impugned complaint as well as the summoning order. He restricts his prayer only to the limited extent that since the sample of respondent no.2-complainant has already been taken for the purpose of DNA test, let the samples of all the five petitioners be also taken for the purpose of DNA test. Thereafter, let the DNA test be conducted and as per the DNA test, let the proceedings be taken further, if so required.

Faced with the above, learned counsel for the State as well as learned counsel for complainant-respondent no.2 have also fairly stated that they have got no objection to the fair proposal put up by learned counsel for the

petitioners.

In view of the above said respective stands taken by learned counsel for the parties, instant petition is disposed of with a direction that samples of all the five petitioners shall be taken for the purpose of conducting DNA test. Since the sample of respondent no.2 Smt. Chhinder Kaur has already been taken, let all the six samples be sent for conducting the DNA test to the same laboratory. The samples of the petitioners shall be taken by the competent person, so deputed by the Chief Medical Officer, Civil Hospital, Ferozepur. The petitioners are directed to approach the Chief Medical Officer, Civil Hospital, Ferozepur, within a period of two weeks from today for giving their samples for the purpose of conducting the DNA test. After taking the samples of the petitioners, Chief Medical Officer, Civil Hospital, Ferozepur, shall ensure that the DNA test of the samples of the petitioners as well as that of respondent no.2 namely; Smt. Chhinder Kaur is conducted by the competent authority, where ever the said facilities are available.

After receiving the report of DNA test, the appropriate proceedings, if any, shall be taken. Since this court had stayed further proceedings while issuing notice of motion, the same shall remain stayed till the receipt of report of DNA test.

With the above said observations made and directions issued, the present writ petition stands disposed of.

27.4.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE