

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

**Crl. Misc. No.M-4968 of 2016**

Date of Decision: 11.02.2016

Pritam Singh

....Petitioner

Versus

State of Punjab

....Respondent

**BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. S.P.S. Sidhu, Advocate  
for the petitioner.

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**DAYA CHAUDHARY, J. (ORAL)**

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.111 dated 04.10.2011 registered under Sections 376/506 IPC at Police Station Dharamkot, District Moga.

Learned counsel for the petitioner submits that the FIR, in question, was registered in the year, 2011. Initially, many persons were named therein and they were also interrogated. Petitioner was summoned by the police on the basis of suspicion only. On receipt of DNA report, the police is trying to arrest the petitioner after a period of four years. Learned counsel also submits that DNA report cannot be the conclusive proof of guilt and the petitioner has joined the investigation as and when required.

He is not running away from the investigation or the Court proceedings.

Nothing is to be recovered from the petitioner.

Heard the arguments of learned counsel for the petitioner and have also perused the allegations levelled in the FIR.

As per allegations in the FIR, rape was committed upon the daughter of the complainant, who was about 22 years of age and was not mentally well. The Investigating Agency did not take any action because of non-receipt of DNA report and now the report has been received which is positive.

In view of seriousness of offence and outcome of DNA report as well as specific allegations and also the fact that the victim has delivered a child, who has subsequently died but the factum of rape has been affirmed by DNA report, no ground is made out to grant anticipatory bail to the petitioner.

The petition is accordingly dismissed.

11.02.2016  
**gurpreet**

(DAYA CHAUDHARY)  
JUDGE