

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

**CRM-M-527-2017
Date of decision: 20.07.2017**

Kanhiya

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Keshav Partap Singh, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

Prayer in this petition, filed under Section 438 of the Code of Criminal Procedure, is for grant of anticipatory bail to the petitioner in case FIR No. 198, dated 24.12.2016, for offences punishable under Sections 376 and 506 of the Indian Penal Code and Section 4 of the POCSO Act, registered at Women Police Station, Palwal, District Palwal.

Learned counsel for the petitioner contended that the allegations, as made out in the FIR, were false and had been made only on account of family rivalry between the parties. Learned counsel for the petitioner had submitted that the petitioner would be ready to undergo a DNA examination to affirm the fact that he was not the father of the child born to the prosecutrix. By an order dated 30.01.2017, while granting interim bail to the petitioner, he was also directed to join investigation as well as to give his DNA sample for the purpose of said DNA analysis. It is also submitted that pursuant to order dated 30.01.2017, the petitioner has joined the investigation and fully cooperated.

Counsel for the respondent-State submits that result of the said analysis has been obtained from Forensic Science Laboratory, Madhuban, Karnal, in which the conclusion is that the petitioner herein is not the biological father of the child born to the prosecutrix. Counsel for the respondents-State, on instructions from ASI Chajju Ram, also confirms the fact that the petitioner has joined the investigation.

In view of the above, the interim protection/pre-arrest bail granted to the petitioner by this Court's order dated 30.01.2017, is made absolute.

Petition stands disposed of.

July 20, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No