

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

**CRM-M-14206-2018
Date of decision : 29.05.2019**

Sonu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.R.K.Bangar, Advocate for the petitioner.

Mr.M.K.Sangwan, DAG,Haryana.

Mr.R.S.Mann, Advocate for the complainant.

RAJ SHEKHAR ATTRI, J. (ORAL)

The petitioner has preferred the instant petition under Section 438 Cr.P.C., for grant of pre-arrest bail in case FIR No. 254 dated 13.03.2018, registered under Sections 328, 376, 506 IPC at Police Station Chandni Bagh, District Panipat.

The case of the prosecution is that the petitioner enticed the complainant and took her with him on the promise of marriage and committed rape on her along with his co-accused and also threatened her with dire consequences in case she told the incident to any one.

Learned State counsel has placed on record report of DNA analysis conducted by FSL,Madhuban indicating that the Autosomal SIR analysis indicates that DNA profile of seminal stains on source of item No.1B(swabs) is matching with the DNA profile of Rajesh(Source of item

No.4).

Learned State counsel has stated that the petitioner has joined the investigation and he is no more required for custodial interrogation.

Keeping in view the report of DNA analysis which matches with the DNA profile of Rajesh, co-accused of the petitioner and without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case.

Resultantly, the interim order dated 30.11.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(RAJ SHEKHAR ATTRI)
JUDGE

29.05.2019
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No