

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

Crl. Misc. M 2237 of 2020 (O&M)  
Date of decision: 5.3.2020

Satbir

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Ashok Kaushik, Advocate,  
for the petitioner.

Ms. Trishanjali Chopra, AAG, Haryana.

**JAISHREE THAKUR, J. (Oral)**

Crl. Misc. 7994 of 2020

Heard.

The application is allowed. Annexures P/4 and P/5 are taken on  
record.

The applications stands disposed of.

**Main case**

The petitioner herein has filed this petition under Section 439 of  
the Code of Criminal Procedure for grant of regular bail in case FIR No.45  
dated 7.6.2019, under Sections 376, 506, 354D IPC registered at Police  
Station Women Palwal, District Palwal.

It is contended by learned counsel for the petitioner that the  
petitioner has falsely been implicated in this case and he is in custody since

8.6.2019, while contending that the prosecutrix is not forthcoming to have her statement recorded, despite the fact that four time bailable warrants were issued against her and executed. The trial is likely to take some time. No useful purpose would be served by keeping the petitioner behind bars till the conclusion of the trial. He prays that the petitioner be admitted to regular bail.

Learned counsel for the State, while opposing the bail, would submit that the prosecutrix is pregnant and as per the FSL and DNA report available on the record, the petitioner would be biological father of the baby to be born. It is submitted that DNA amplification matches with the DNA profile of the petitioner herein and therefore, he does not deserve concession of bail.

I have heard learned counsel for the parties and perused the documents annexed with the petition.

Without going into the merits of the case and keeping in view the fact that the prosecutrix is not stepping forth to have her statement recorded, despite the fact that she had been summoned on several occasions and even the non-bailable warrants were issued and executed and the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and heavy surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

**5.3.2020**

prem

**(JAISHREE THAKUR)**  
**JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

No