

211.

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH**

**CRM-M-7090-2020**

Date of Decision: 12.10.2021

MANPREET SINGH ALIAS LADDI

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

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

Present:- Mr. Prashant Vashisth, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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**JAISHREE THAKUR.J (Oral)**

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.0202, dated 25.09.2019, registered under Sections 376, 506, 451, 323 and 458 of IPC at Police Station Dharamkot, District Moga.

Reply filed on behalf of respondent-State is taken on record.

Learned counsel for the petitioner would pray for grant of regular bail by contending that the petitioner has been falsely implicated in the present FIR. He is in custody since 25.09.2019. It is contended that the matter has been investigated, challan presented, charges framed and the statement of the prosecutrix has already been recorded. It is further argued that as per the reply filed, the DNA report itself would not support the allegations of the offence under Section 376 IPC as human semen was not detected on Exhibits A-3 and A-4. It is submitted that as the prosecutrix has already been examined, the question of him influencing the material witness

would not arise, while further contending that the trial is likely to take some time to conclude.

On the other hand, learned State counsel would oppose the grant of regular bail to the petitioner, but is not in a position to dispute the fact that the DNA was not found present on the samples taken. On the asking of the Court, she would submit that out of 12 witnesses cited, only 2 stands examined.

I have heard learned counsel for the parties.

The matter has been investigated, challan presented, charges framed and the statement of the prosecutrix has already been recorded. Keeping in view the fact the petitioner is in custody since 25.09.2019 and the DNA report itself has not supported the allegation under Section 376 IPC as human semen was not detected on the exhibits and the fact that trial in the case will take some time to conclude as only 2 witnesses, out of total 12 witnesses cited, have been examined so far, this Court deems it appropriate to release the petitioner on regular bail.

Accordingly, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

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

**12.10.2021**

sanjeev

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No