

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

**CRM-M No.38263 of 2021(O&M)**

Date of Decision:21.09.2021

(Heard through VC)

Ankit Kumar

...Petitioner

Versus

State of Punjab

...Respondent

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

Present:- Mr. Chandan Singh Rana, Advocate  
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.82 dated 23.03.2020 under Section 363, 366A, 376 IPC and Section 4 of the POCSO Act registered at Police Station Salem Tabri, District Ludhiana.

Counsel for the petitioner would contend false implication as would be evident from the FSL report in which it is clearly stated that presence of semen could not be confirmed on vaginal swabs and apart from that, no male DNA profile could be recovered. It is submitted that statement of the prosecutrix under Section 164 Cr.P.C. does not support the case of the prosecution. It is further submitted that matter has been investigated and challan stands presented and the fact that trial is likely to take some time to conclude, therefore, prays for concession of bail to the petitioner.

Learned counsel for the respondent-State would opposes grant of regular bail to the petitioner by contending that allegations levelled against

the petitioner are serious in nature, but she does not dispute the fact that matter stands investigated and challan has been presented.

I have heard counsel for the parties and in view of the fact that prosecutrix has not supported the case of the prosecution under Section 164 Cr.P.C. and the matter stands investigated and challan has been presented and the fact that trial is likely to take some time to conclude, this Court deems it appropriate to allow regular bail to the petitioner. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal/surety bond Rs.1 lakh each to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

**September 21, 2021**  
P.Bhatt

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

Whether speaking/reasoned      Yes/No

Whether reportable                Yes/No