

**228 IN THE HIGH COURT OF PUNJAB AND HARYANA  
CHANDIGARH**

CRM-M-30889-2022 (O&M)

Date of Decision: 05.08.2022

SATNAM SINGH ALIAS SATTU

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Lakhwinder Singh Mann, Advocate  
for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

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**VIVEK PURI J. (Oral)**

This is first petition under Section 439 Cr.P.C. praying for grant of regular bail to the petitioner in case FIR No. 111 dated 25.07.2021, under Sections 363 and 366-A of the Indian Penal Code, 1860, (Section 376 IPC added later on) and Section 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Kakha, District Ludhiana.

Custody certificate filed and the same is taken on record.

Briefly the FIR is registered on the statement of the mother of the victim, who is stated to be 15 ½ years of age, alleging therein that on 21.07.2021, she had gone to the school but did not return back.

Learned counsel for the petitioner contends that the petitioner is in custody for a period of 1 years and 6 months and moreover, during the course of trial, victim has not supported the prosecution version.

Learned State Counsel on the other hand opposed the

application for regular bail on the score that though the victim has not supported the prosecution version, but the report of the Chemical Examiner has not yet been received.

It is significant to note that the victim was stated to have been medico-legally examined as back as on 27.07.2021 and despite the lapse of 1 year, the report of chemical Examiner/FSL of the vaginal swabs of the victim, has not been procured. The victim has not supported the prosecution version. It has also been pointed out that during the course of investigation, no samples of the petitioner for DNA analysis were procured. The petitioner is in custody for a period of 1 year and 6 months.

As such, sufficient mitigating circumstances are made out to grant the petitioner, concession of bail. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

05.08.2022  
Ajay Goswami

**(VIVEK PURI)**  
**JUDGE**

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*