

ORDER ON OBJECTION TO
DNA REPORT

The plaintiff has filed objections to the DNA report submitted by Regional Forensic Science Laboratory, Hubballi, praying to reject the said report.

It is contended that by the plaintiff that pursuant to the order of this Court, on application filed by the plaintiff himself the blood samples of the plaintiff and the defendant No.1 were collected on 23-10-2025. However, the samples were forwarded to the RFSL, Hubbblli only on 27-10-2025, i.e., after about 96 Hours. According to the plaintiff, as per guidelines governing DNA examination, the samples ought to have reached the laboratory within 48 Hours. Hence, the DNA report is alleged to be unscientific, defective and unreliable. It is further contended that the delay occurred due to the negligence of the Medical Officer and that the plaintiff has also incurred expenses of Rs.20,000/- towards the DNA test. On these grounds, the plaintiff seeks rejection of the DNA report.

The learned counsel for the plaintiff relied upon the decision of the Hon'ble Supreme Court in ***Kattavelli @ Devakar v. State of Tamil Nadu*** in support of his contentions.

Per contra the learned counsel for the defendant Nos.1, 3 and 4 orally opposed the objections and submitted that the DNA report has been issued by the Government Regional Forensic Science Laboratory in the discharge of its official functions. It is contended that there is no material to show that the samples were tempered with, contaminated or rendered unfit for analysis. Merely delay in forwarding the samples, by itself, cannot be a ground to reject the scientific report.

Heard both sides and perused material available on record.

The record discloses that the DNA examination was directed by this Court on the application filed by plaintiff himself for DNA test and the blood samples were collected in pursuance thereof. The report has been submitted by the Regional Forensic Science Laboratory,

Hubnballi, a competent government scientific institution.

Though the plaintiff contends that the samples reached the laboratory after about 96 Hours, no expert opinion or scientific material has been produced to establish that such delay necessarily vitiates the DNA analysis or renders the report unreliable. There is also no material to establish to show that the samples were tempered with, contaminated or that the chain of custody was broken. Whether delay, if any, has affected the evidentiary value of the report is a matter that can be tested during appreciation of the evidence after examination and cross-examination of concerned expert, it required. The decision relied upon by the plaintiff lays down the importance of maintaining proper scientific procedure in collection and preservation of biological samples. However, whether there has been any deviation affecting the reliability of the DNA report is essentially a question of evidence. At the stage, in the absence of cogent material demonstrating that the DNA report is scientifically invalid, this Court finds no sufficient ground to

reject the DNA report outright. Accordingly, the objections filed by the plaintiff is liable to be rejected. However, the plaintiff is at liberty to challenge the correctness, reliability and evidentiary value of the DNA report during trial by cross-examining the concerned experts or by leading appropriate evidence in accordance with law. Hence, I proceed to pass the following:

ORDER

The objections filed by the plaintiff seeking rejection of the DNA report is hereby rejected.

The DNA report shall remain on record and its evidentiary value shall be considered at the time of final disposal of the suit, subject to the evidence adduced by the parties.

No order as to costs.

For further evidence of plaintiff side call on 17-07-2026.

Sr. Civil Judge, Bailhongal.