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

**CRM-M-20121-2018**
**Date of Decision: 29.08.2018**

Ram Lal @ Ramu

....Petitioner

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

Present: Mr. A.K. Singh Goyat, Advocate
for the petitioner(s).

Ms. Mahima Yashpal, A.A.G., Haryana.

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**ANITA CHAUDHRY, J**

Petitioner is seeking regular bail in FIR No.93 dated 12.11.2016, registered under Sections 363 & 366-A of IPC and Section 4 of the Protection of Children from Sexual offence Act, 2012 at Police Station GRP, Rohtak.

Learned counsel for the petitioner contends that the petitioner is in custody since 04.12.2016. He states that the petitioner and the prosecutrix were known to each other and used to talk to each other on phone and she had gone on her own with him and had returned after a fortnight and the DNA did not match and no semen was found on the swabs. Counsel states that the statement of the victim has been recorded.

Learned State counsel states that the girl was a minor and she had made a statement against the petitioner in her statement made under Section 164 Cr.P.C. and the statement of the prosecutrix has been recorded in the Court.

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Admittedly no semen was found on the swab nor the DNA had matched.

The trial has already taken long. The petitioner is in custody since December, 2016. Without commenting anything on the merits of the case, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing surety and adequate bail bonds to the satisfaction of the trial Court/Duty Magistrate.

**August 29, 2018** **(ANITA CHAUDHRY)**
*ps-I* **JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

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