

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

**Crl. Misc. No.M- 37387 of 2018 (O&M)
Date of decision : 26.10.2018**

Ram Kumar

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Ms. Aashna Gill, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

ANITA CHAUDHRY, J.

This is the second petition filed by the petitioner seeking regular bail in FIR No. 44 dated 21.02.2015, registered under Sections 376-D, 323, 506 IPC and Section 6 of the POCSO Act, Police Station Ladwa, District Kurukshetra.

Counsel for the petitioner contends that the petitioner is in custody since 04.05.2016 and the petitioner was not named in the FIR and his name cropped up after five months of the occurrence and the petitioner was a counsel in a civil suit which was filed against the grand father of the prosecutrix and he has been falsely involved. Counsel urges that the DNA report is yet to come. It is also submitted that the prosecutrix had made her statement in the Court but subsequently she committed suicide and the FIR was lodged and the petitioner was not challaned.

It is not disputed that the petitioner has been summoned as an

additional accused under Section 319 Cr.P.C. He is in custody for over two years. He was not named in the FIR though there is a reference of three persons. The DNA report is still pending. The trial is taking time. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court.

26.10.2018
sunil

(ANITA CHAUDHRY)
JUDGE

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