

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

CRM-M No.9671 of 2016

Date of Decision:-23.05.2016

Manohar Lal.

.....Petitioner.

Versus

Naresh Kumar.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Onkar Singh Batalvi, Advocate for the Petitioner.

Mr. Rajeev Dev Sharma, Advocate for respondent-
Complainant.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
assisted by ASI Didar Singh.

JASWANT SINGH, J (ORAL)

Petitioner is arrayed as an accused in a private complaint filed by Naresh Kumar alleging that his father Jeet Ram was a candidate of panchayat in the village and he was administered poison by Sham Lal, Harbans Lal and the petitioner.

Having been summoned as accused in the said private complaint, the petitioner has approached this Court for grant of pre-arrest bail under Section 438 Cr.PC.

Learned counsel for the petitioner has *inter alia* argued that regarding the same incident pertaining to 25.05.2008, an FIR had been registered at the instance of Sham Lal but on investigation the allegations

levelled by Sham Lal were found to be incorrect resulting in filing of cancellation report which was accepted. He has further submitted that the complainant has now lodged a private complaint regarding the same occurrence by impleading Sham Lal as an accused.

Having been summoned along with other co-accused, the petitioner apprehends arrest. It is claimed that next date of hearing before the summoning Court for appearance, is 01.04.2016 and non-bailable warrants have been issued against the petitioner.

It is submitted that pursuant to the directions passed by this Court on 18.03.2016, the petitioners have surrendered on 01.04.2016 and granted interim bail and is ready to face trial.

Counsel for the complainant vehemently opposes the confirmation of the bail.

In view of the above, interim bail granted by the trial Court pursuant to the directions passed by this Court vide order dated 18.03.2016 is hereby made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

May 23, 2016
Vinay