

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

Crl. Misc. No. M-22479 of 2016

Date of decision : 09.09.2016

Vishal Seth

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. K.S. Dadwal, Advocate
for petitioner.
Mr. V.P.S. Sidhu, AAG Punjab.
Mr. Veneet Sharma, Advocate
for the complainant.**

ANITA CHAUDHRY, J.

The petitioner is seeking anticipatory bail in FIR No. 20 dated 07.04.2016, registered at Police Station Division No. 'D', Amritsar, under Sections 306 read with Section 34 IPC and Sections 304-B, 498-A, 420 and 120-B IPC which were added lateron.

The petitioner is the husband of Shikha Arora. Their marriage was solemnized on 18.11.2015. She had committed suicide on 16.03.2016. On the basis of statement made by the mother of the deceased and the suicide note a case was registered against the petitioner.

Learned counsel for the petitioner submits that in the suicide note, the extract of which has been placed on record as Annexure P-2, there is no whisper that the deceased was treated with cruelty on account of demand of dowry and the essential ingredients of abetment are conspicuously missing. He admits that the suicide note placed on file is not the complete suicide note. He had relied upon **Gurjant Singh & Ors. Vs.**

State of Punjab, 2013(4) RCR(Crl.) 515, Thotesh Gouda @ T.C. Patil,

Chandrashekar Gouda and Chadramma Vs. State of Karnataka by the Police of Nymathi Police Station, 2014(17) RCR (Crl.) 820 and Radha Bai & Ors. Vs. State of Karnataka, 2011(8) RCR(Crl.) 1153.

On the other hand, learned State counsel assisted by counsel for the complainant had submitted that Annexure P-2 is not the suicide note, but it is written in the hand of somebody else and the facts have been twisted. They had pointed out that Crl. Misc. No.M-19834 of 2016 was filed by the parents of the petitioner seeking anticipatory bail which was dismissed by this Court vide order dated 19.08.2016 on the ground of misrepresentation and concealment and the same writing has been annexed with this petition.

I have heard learned counsel for the parties.

The complete suicide note was not placed on record. In the suicide note, the deceased had clearly stated that her life had been spoiled by the petitioner. The anticipatory bail of the co-accused had already been dismissed for misleading the Court. Similar attempt has been made in this petition.

The case law cited by the counsel for the petitioner is of no help. Every case has its own facts. The facts of the cases referred to above are distinguishable from the present case as in the case in hand, a suicide note was left by the deceased accusing the petitioner.

There are serious allegations against the petitioner (the husband). Custodial interrogation is necessary. The petition is dismissed.

September 09,2016
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable

Yes/ No